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City and County of San Francisco
Board of Supervisors

September 11, 2007

City and County of San Francisco

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MEETING MINUTES

Tuesday, September 11, 2007
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin.*
Members Excused:	*Gerardo Sandoval.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll Supervisor Sandoval was noted absent.

There was a quorum.

Supervisor Sandoval was excused from today's meeting. (See Below)

Supervisor Sandoval Excused From Attendance

Supervisor Jew, seconded by Supervisor Ammiano, moved to excuse Supervisor Sandoval from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve the meeting Minutes for July 31, 2007, August 7, 2007 and August 14, 2007. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

071066 [Approval of the HIV Prevention Projects Grant application] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an interim progress report (IPR) in order to continue to receive funding for the HIV Prevention Projects grant from the Centers of Disease Control and Prevention (CDC). The amount of this annual recurring grant for the next grant year (January 1, 2008 to December 31, 2008) is expected to be approximately $9 million. The due date of the IPR is September 4, 2007. (Public Health Department)

Enacted Number: 497-07

ADOPTED

071119 [Accept and Expend FEMA Hazard Mitigation Grant Program Funds] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $660,000 in Hazard Mitigation

3 1223 08514 5556

Grant Program funds through the Federal Emergency Management Agency to seismically retrofit the Millbrae Water Supply & Treatment Headquarters.

Enacted Number: 494-07

ADOPTED

071120 [Accept-Expend State Grant - Board of Supervisors] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Board of Supervisors to accept and expend $275,000 in AB 471 funds from the California Resources Agency, Environmental Enhancement and Mitigation Program to fund Americans with Disabilities Act (ADA) and other improvements to Tulare Park.

Enacted Number: 493-07

ADOPTED

071130 [Provide SSI application assistance to the chronically homeless and mentally ill] **Supervisor McGoldrick**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $97,660 from the Social Security Administration (SSA) to provide SSI application assistance to the chronically homeless and mentally ill in San Francisco and to enter into an agreement for the use of these funds; for the period of May 1, 2007 to April 30, 2008, which includes a sub-contract with the San Francisco Bar Association's Homeless Advocacy Project (HAP) in the amount of $59,620 for the same time period.

Enacted Number: 499-07

ADOPTED

071145 [Accept and Expend Regional Grant - Department of the Environment] **Mayor**

Resolution authorizing the Department of the Environment (SF Environment) to accept and expend grant funds, in the amount of $44,000 from the Bay Area Air Quality Management District (BAAQMD) to convert one Prius hybrid vehicle into a Plug-In Hybrid Electric Vehicle for the purpose of public outreach and demonstration.

Enacted Number: 500-07

ADOPTED

071146 [Accept-Expend Regional Grant - Department of the Environment] **Mayor**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $14,000.00 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

Enacted Number: 501-07

ADOPTED

Recommendations of the Land Use and Economic Development Committee

070213 [Planning - public review process for wireless telecommunications services facilities as accessory uses] **Supervisor Peskin**

Ordinance amending the Planning Code Section 311 and 312 to apply the public review processes for building permit applications in R and NC Districts to wireless telecommunications services facilities permitted as accessory uses under Article 2 of the Planning Code, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 215-07

FINALLY PASSED

070904 [Permits for communications companies and equipment] **Supervisor McGoldrick**

Ordinance amending Chapter 11, Article 1 of the San Francisco Administrative Code by amending Sections 11.1 and 11.9 to authorize state video franchise holders and personal wireless service carriers to obtain utility conditions permits, requiring persons installing personal wireless service facilities in the public rights-of-way to obtain personal wireless service facilities site permits, imposing fees for personal wireless service facilities site permits, and making environmental findings. (Public Works Department)

Supervisor McGoldrick requested to be added as sponsor.

Enacted Number: 214-07

FINALLY PASSED

Recommendation of the Public Safety Committee

071134 [Accept-Expend Grant - Public Defender] **Supervisors Maxwell, Dufty**

Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of $70,000 from the Zellerbach Family Foundation for a court alternative specialist position dedicated to working with the children of incarcerated parents (CIP).

PASSED, ON FIRST READING

Recommendations of the Rules Committee

070505 [Expanding Post-Employment Restrictions For Senior Mayoral Staff and Board Aides] Supervisor Peskin

Ordinance amending section 3.234 of the San Francisco Campaign and Governmental Conduct Code to prohibit individuals who have served as senior staff members to either the Mayor or a member of the Board of Supervisors from communicating with any representative of the City with the intent to influence a government decision for one year after they terminate employment with the City.

Enacted Number: 218-07

FINALLY PASSED

070884 [Reorganization of the Family Violence Council to concentrate on child abuse and elder abuse in addition to domestic violence] Mayor, Supervisors Maxwell, Alioto-Pier

Ordinance amending Article XIX of the San Francisco Administrative Code to change the focus of the Family Violence Council to include child abuse and senior/adult dependent abuse in addition to domestic violence; reducing the membership of the Council's steering committee from ten members to three members (the three co-chairs of the Council); reducing the membership of the Council from 45 members (35 of whom are selected by the Steering Committee and 10 of whom are specified public officials or directors of nonprofit agencies, or their designees) to 19 members (17 required members who are specified public officials or directors of nonprofit agencies, or their designees, and 2 of whom are optional, at-large members appointed by the Steering Committee); eliminating the advisory committee to the Council and assigning the duties currently performed by the advisory committee to the Council as a whole; and deleting that portion of the Ordinance that allows the Council to establish an Interagency Domestic Violence Death Review Team.

(No Economic Impact)

Enacted Number: 217-07

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

071264 [Findings - Disapproval of 3150 Geary Boulevard Tentative Map]

Motion adopting findings related to the Board of Supervisors disapproval of the decision of the Director of Public Works concerning an 8-unit Tentative Map located at 3150 Geary Boulevard, Lot 028 in Assessor's Block 1066 and disapproval of said Tentative Map.

Enacted Number: M07-114

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

071082 [Landmark Designation of Richardson Hall, Woods Hall, and Woods Hall Annex, Located at 55 Laguna Street formerly known as the San Francisco State Teacher's College] **Supervisor Mirkarimi**

Ordinance designating Richardson Hall (a.k.a. Burke Hall), Woods Hall (a.k.a. Anderson Hall), and Woods Hall Annex (a.k.a. Anderson Hall Annex), located at 55 Laguna Street (U.C. Extension Center, formerly known as the San Francisco State Teacher's College), as individual Landmarks under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (City Attorney)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Dufty, Sandoval

Supervisor Dufty was previously excused from voting on this matter.

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Dufty, Sandoval

Recommendation of the Budget and Finance Committee

070921 [Amendments to Minimum Compensation Ordinance] **Supervisors Ammiano, Peskin, McGoldrick, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 12P.2, 12P.3, 12P.4, 12P.5, 12P.6, 12P.7, 12P.8 and, 12P.9 and by adding Sections 12P.5.1, 12P.6.1 and 12P.6.2, to amend the Minimum Compensation Ordinance by making both substantive and clarifying changes with respect to: the obligations imposed on Contractors; notification, investigation, auditing, inspection, enforcement and settlement procedures; the withholding of contract payments; provisions relating to waivers; certain definitions, including the definition of Covered Employees; procedures for automatic increases to the hourly wage rate; the assessment of liquidated damages; and the process for determining whether a Contractor has violated the Ordinance and for the administrative appeal of such determinations.

Enacted Number: 212-07

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

Recommendation of the Government Audit and Oversight Committee

070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses] **Supervisor Peskin**

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

Supervisor McGoldrick, seconded by Supervisor Jew, moved that this Ordinance **be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.** The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties for offenders over the age of eighteen where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Recommendation of the Land Use and Economic Development Committee

070829 [Parking Regulations]

Resolution enacting and rescinding parking regulations.

TOW AWAY, NO PARKING ANYTIME ESTABLISH
Raccoon Drive, both sides, between Twin Peaks Boulevard and Crown Court.
(Parking and Traffic Department)

Enacted Number: 492-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,

McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Recommendation of the Rules Committee

070590 [Requiring that individuals be provided access to Residential Hotels as visitors of guests and occupants to assist in "get out the vote" activities] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Section 41D.4, to require that individuals engaged in "get out the vote" activities be provided access to Residential Hotels as visitors of guests and occupants, on the same basis as any other visitor under the Uniform Visitor Policy.

(Supervisor Elsbernd Dissenting in Committee)

Enacted Number: 213-07

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Excused: 1 - Sandoval

Called from the City Operations and Neighborhood Services Committee

060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Continued to September 18, 2007

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Elsbernd, Jew
Excused: 1 - Sandoval

Board of Supervisors Sitting as a Committee of the Whole

071269 [Hearing - Medical Cannabis Dispensary Permits]

Hearing of persons interested in or objecting to proposed ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San

Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; and (f) clarify the definition of "medical cannabis dispensary."

Supervisor Jew was previously excused from voting on this matter.

The President inquired as to whether any member of the public wished to address the Board members.

Mira Ingram

Sherry Grover

Rosaurai Kenyon

David Cohen

Male speaker

Karen Kircher

Michele Aldrich

Silvia Johnson

Denise Dorey

Toni Brock

Albert Blais

Pat Buskavich

Kevin Reid

Male speaker

Wayne Kiloff

Jon Martinell

Female speaker

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

070667 [Medical Cannabis Dispensary Permits] Supervisor Alioto-Pier

Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provice security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; and (f) clarify the definition of "medical cannabis dispensary."

Supervisor Alioto-Pier, seconded by Supervisor Daly, moved technical amendments and the addition of CEQA language.

Motion to amend passed without objection.

Supervisor Daly, seconded by Supervisor Ammiano, moved to amend on page 15, (3) by deleting "to the public" and adding "except where the Access Appeals Commission grants an unreasonable hardship."

Motion to amend passed without objection.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to amend on page 15, (2) by deleting "any ground floor service area must be."

To be considered on September 18, 2007

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved various amendments.

To be considered on September 18, 2007

Supervisor Alioto-Pier, seconded by Supervisor Daly, moved that this **Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; (f) clarify the definition of "medical cannabis dispensary; and (g) adopting General Plan, Planning Code Section 101.1(b) and environmental findings."

Continued to September 18, 2007

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Board of Supervisors Sitting as a Committee of the Whole

061379 [Hearing - Acquisition of Property By Eminent Domain-Islais Creek MUNI Maintenance Facility]

Hearing of persons interested in or objecting to proposed resolution authorizing the acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

The President inquired as to whether any member of the public wished to address the Board members.

There were none.

Continued to January 15, 2008

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Committee of the Whole Adjourn and Report Without Recommendation

061377 [To acquire property by Eminent Domain-Islais Creek MUNI Maintenance Facility] Supervisor Maxwell

Resolution authorizing acquisition of 2.8 acres of property adjacent to City property at Indiana and Cesar Chavez Streets, consisting of portions of Assessor's Lots 2, 2A and 13 in Block 4349 and a portion of Assessor's Lot 3 in Block 4382, in the City and County of San Francisco, for construction of the Municipal Railway's new Islais Creek Motor Coach Operations and Maintenance Facility; adopting environmental findings under the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and Administrative

Code Chapter 31, and adopting findings under the General Plan and City Planning Code Section 101.1.

(Fiscal impact.)

Continued to January 15, 2008

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Sisters of Mercy, Sr. Barbara Henry, RSM, in recognition of the celebration of St. Mary's Hospital 100th Anniversary.

Supervisor McGoldrick introduced, welcomed, and presented a Certificate of Honor to the "Mayor of 4th Avenue."

SPECIAL ORDER 3:30 P.M.

070967 [Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 16, 2007

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070968 [Minor Sidewalk Encroachment Permit Appeal]

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

Continued to October 16, 2007

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

070969 [Minor Sidewalk Encroachment Permit Appeal]

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

Continued to October 16, 2007

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

SPECIAL ORDER 4:00 P.M.

Supervisor Dufty was noted absent at 4:07 p.m.

Supervisor Dufty was noted present at 4:25 p.m.

070800 [Public Hearing - Appeal of Categorical Exemption from Environmental Review - Citywide Wireless Broadband Internet Access Network Ordinance]

Hearing of persons interested in or objecting to the decision of the Planning

Department dated April 20, 2007, Case No. 2007.0097E, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Sections 15301(b), 15303(d), & 15303(e); Class Numbers 1 and 3], the proposed project is an ordinance proposed by the Mayor (Board File No. 070077) that would approve one or more agreements (hereafter "the Agreement") between EarthLink, Inc. and the City and County of San Francisco. The Agreement would permit EarthLink to manage, operate, and install within the City rights-of-way a citywide wireless broadband internet access network that would provide free or affordable internet access for San Francisco residents, workers, and visitors. The project would involve installation within the City rights-of-way of a communications system consisting of two types of above-ground equipment: transmitters and backhaul devices. The Agreement does not specify proposed locations for the communications equipment, and EarthLink has not yet selected such locations. (Appellant: Jeff Hoffman, on behalf of the San Francisco Neighborhood Antenna Free Union (SNAFU).)

(Filed May 30, 2007; companion measure to Files 070801, 070802, 070803.)

The President inquired as to whether any member of the public wished to address the Board members.

Silvia Johnson

The President declared the public hearing closed.

Supervisor Elsbernd, seconded by Supervisor Jew, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Dufty
Excused: 1 - Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070801 [Affirming the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]

Motion affirming the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Jew, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Dufty

Excused: 1 - Sandoval

070802 [Disapproving the categorical exemption issued for the Citywide Wireless Broadband Internet Access Network Ordinance]

Motion disapproving the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Jew, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Dufty
Excused: 1 - Sandoval

070803 [Preparation of findings related to the appeal of the categorical exemption for the Citywide Wireless Broadband Internet Access Network Ordinance]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Citywide Wireless Broadband Internet Access Network Ordinance is exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd, seconded by Supervisor Jew, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Dufty
Excused: 1 - Sandoval

SPECIAL ORDER 4:00 P.M.

071070 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 317 Cortland Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 21, 2007, Case No. 2006.0056E, exempting from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Sections 15301(l)(4) and Categorical Exemption Class 3 (State CEQA Guidelines Sections 15303(b) and 15303(c). The project would demolish the existing two-car parking structure and construct a 35-foot-tall, 3,820-square foot, three-story mixed-use building with two dwelling units over approximately 1,590-square-feet of commercial space open to Cortland Avenue and with the 130-square foot walk-up access to the residential floors above. The two dwelling units would each be about 1,115 square feet. Each unit would have access to private usable open space on either a rear deck, balcony or a courtyard. The subject property (Assessor Block 5667, Lot 014) is within an NC-2 (Small Scale Neighborhood Commercial) Use District and a 40-X Height and Bulk District. (Appellants: Gordon Thrupp, Robin Mackey, Suzanne Landucci, Donna Roberts, Caroline Peel and Bloum Cardenas.)

(Filed July 18, 2007; companion measure to 071071, 071072, 071073;

District 9.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to September 25 , 2007

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this **Hearing be CONTINUED. The motion carried by the following vote:**

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

071071 [Affirming the categorical exemption issued for the 317 Cortland Street Project]

Motion affirming the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to September 25, 2007

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

071072 [Disapproving the categorical exemption issued for the 317 Cortland Street Project]

Motion disapproving the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to September 25, 2007

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

071073 [Preparation of findings related to the 317 Cortland Street Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 317 Cortland Street is exempt from environmental review under the California Environmental Quality Act.

Continued to September 25, 2007

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

SPECIAL ORDER 4:30 P.M.

071031 [Public Hearing - Conditional Use Appeal for 4041 Geary Boulevard]

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 17448 dated June 14, 2007, approving Conditional Use Application No. 2007.0286C, subject to certain conditions, to allow the establishment of a Formula Retail Use (dba Starbucks, retail coffee store), with approximately 750 square feet in floor area in a vacant commercial space located in a recently approved auto service and repair shop (dba"Service Center for San Francisco Toyota"), a one-story commercial building. The project site is located in an NC-3 (Moderate Scale) Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 4041 Geary Boulevard, Lot 050 on Assessor's Block 1540. (Appellant: Jesse Fink, Clement Street Merchant Association.)

(Filed 7/11/07; companion meaure to Files 071032, 071033, 071034; District 1.)

The President inquired as to whether any member of the public wished to address the Board members.

Jesse Fink and Brian McCann; Appellants

Male speaker; support of the appellant

Jack Charis; support of the appellant

Max; support of the appellant

Emir Sparrow; support of the appellant

Kristin Chu; support of the appellant

Megan Lynch; support of the appellant

Gail Sabin; support of the appellant

Marilyn Hoffman; support of the appellant

Lolita S.; support of the appellant

Anna Dorian; support of the appellant

Andrea Little; support of the appellant

David Grey; support of the appellant

Female speaker; support of the appellant

Marita; support of the appellant

Micki May; support of the appellant

Diana Maris; support of the appellant

Mr. Rothstein;support of the appellant

Female speaker, Representative of the Industrial Workers Union; support of the appellant

Female speaker; support of the appellant

Tosh Chang; support of the appellant

Randy Berkevits; support of the appellant

Michael Bean; support of the appellant

Mayor of 4th Avenue; support of the appellant

Catherine Roberts; support of the appellant

Silvia Johnson; support of the appellant

David Tornhower; support of the appellant

Ron Miguel; support of the appellant

Tara Sullivan-Lehane, Representative of the Planning Department reviewed with the Board the Planning Commission's recommendation. Leon Abrams; Starbucks Coffee; project sponsor

David Hellar; support of the project sponsor

Female speaker; support of the project sponsor

Colin Schmidt, Bay Area Scores; support of the project sponsor

Nancy Healy; support of the project sponsor

Katie McCann; support of the project sponsor

Joseph Norris; support of the project sponsor

Female speaker; support of the project sponsor

Mary Jane

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be approved.)

071032 [Approving Planning Commission decision related to Conditional Use Appeal for 4041 Geary Boulevard]

Motion approving decision of the Planning Commission by its Motion No. 17448, approving Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

071033 [Disapproving Planning Commission decision related to Conditional Use Appeal for 4041 Geary Boulevard]

Motion disapproving decision of the Planning Commission by its Motion No. 17448, approving Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

Enacted Number: M07-115

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 1 - Jew
Excused: 1 - Sandoval

071034 [Preparation of findings related to the Conditional Use Appeal for 4041 Geary Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2007.0286C on a property located at 4041 Geary Boulevard, for action by the Board at its next meeting.

Enacted Number: M07-116

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to homeless shelters

James Chaffee; expressed concern with issues relating to the SF Public Library

Ray Hatrz; expressed concern with issues relating to the City Attorney's Office

Female speaker; expressed concern with issues relating to the Trans Bay tower

Stephen Woosly; expressed concern with issues relating to Coit Tower

Eugene Gordon, Jr.; expressed concern with issues relating to violations of human rights

Walter; shared with the Board in song certain issues

John di Donna; expressed concern with issues relating to the Middle East War

Ellen Egberg; expressed support for the SF Public Library

Male speaker; expressed concern with issues relating to blood testing for toxic chemicals

Viki Lightner; support of Item 43 a Resolution to halt the annual Blue Angels air show in San Francisco

Male speaker; support of Item 43 a Resolution to halt the annual Blue Angels air show in San Francisco

Mike; support of Item 43 a Resolution to halt the annual Blue Angels air show in San Francisco

Mike Ryan; support of Item 43 a Resolution to halt the annual Blue Angels air show in San Francisco

Silvia Johnson; expressed concern with general issues in San Francisco

Male speaker; support of Item 43 a Resolution to halt the annual Blue Angels air show in San Francisco

Female speaker; support of Item 43 a Resolution to halt the annual Blue Angels air show in San Francisco

Buck Shaw; support of Item 43 a Resolution to halt the annual Blue Angels air show in San Francisco

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

071213 [Legislative Analyst Request - Office of Special Events] **Supervisors Dufty, Alioto-Pier**

Motion requesting the Legislative Analyst to conduct research into the need for and feasibility of a dedicated and separately funded Office of Special Events in San Francisco. Specifically, whether the activities currently engaged in by such City departments as the Entertainment Commission, Office of Protocol, Mayor's Special Events Staff, San Francisco Police Department, Recreation and Parks Department, Port of San Francisco, and others might be effectively consolidated into and/or overseen by an office comparable to the Special Events Offices in Chicago, Boston, New York City, Houston, and others.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

071198 [Grant to support Laguna Honda Hospital's Activity Therapy Department] **Supervisor Maxwell**

Resolution authorizing the San Francisco Department of Public Health (DPH), Laguna Honda Hospital (LHH) to retroactively accept and expend a grant for $35,000, from the James Irvine Foundation, the Walter and Elise Haas Fund, and the Flora Hewlett Foundation, through the Creative Work Fund, and to enter into a subcontract with artist Helena Keeffe; for the period of September 1, 2007 through August 31, 2008.

Enacted Number: 496-07

ADOPTED

071199 **[Grant of State Funds - Municipal Transportation Agency]** **Supervisor Maxwell**

Resolution authorizing the Municipal Transportation Agency to accept and expend $217,970 in State grant funds from the California Air Resources Board for the purchase of low-polluting construction equipment.

Enacted Number: 498-07

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

Severed From the Without Committee Reference Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

Supervisor McGoldrick Excused From Voting

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Excused: 2 - McGoldrick, Sandoval

071232 **[Seeking a permanent halt to the Blue Angels air show over San Francisco]** **Supervisor Daly**

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to continue this matter to September 18, 2007.

Supervisor Elsbernd moved to refer this matter to Committee.

REFERRED to the Government Audit and Oversight Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

071279 [Commending Teodoro C. Ildefonzo] Supervisor Maxwell

Resolution commending Teodoro C. Ildefonzo on his 100th birthday and declaring September 11, 2007 "Teodoro C. Ildefonzo" day in San Francisco.

Enacted Number: 495-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Excused: 1 - Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071290 [Filing of Mass Mailings Paid for with Independent Expenditures] Supervisor Daly

Ordinance amending the Campaign and Governmental Conduct Code by amending section 1.161 and repealing section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission.

9/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/12/2007.

071291 [Height Limits: Exemption in C-3-G Zoning District] **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending subsection 260(b) by adding subsection 260(b)(1)(A)(i) to allow mechanical equipment and screening changes that do not exceed three additional feet in height and do not contain new occupiable floor space in any C-3-G Zoning District; and adopting findings.

9/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/12/2007.

071292 [Downtown Residential Zoning Districts] **Supervisor Daly**

Ordinance amending the Planning Code by repealing Section 825.1 and amending Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

9/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/12/2007.

071293 [Delegate authority to execute Solar Plant Generating Facility Interconnection Agreements] **Supervisor Mirkarimi**

Ordinance authorizing the General Manager of the San Francisco Public Utilities Commission to execute a Generating Facility Interconnection Agreement (GFIA), and Export Addendum, with Pacific Gas and Electric Company for solar projects on City property without seeking prior Board of Supervisors' authorization pursuant to Charter Section 9.118 for each GFIA, subject to limitations on the terms of the GFIA.

9/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071294 [Climate Change Goals and Action Plan] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Environment Code by adding Chapter 9, Sections 900 through 908, to establish City greenhouse gas emissions targets and departmental action plans, to authorize the Department of the Environment to coordinate efforts to meet these targets, and to make environmental findings.

9/11/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/12/2007.

071296 [Appropriating $200,000 of General Fund Reserve to General City Responsibility for Hurricane Relief in Nicaragua] **Supervisors Daly, Ammiano, Sandoval**

Ordinance appropriating $200,000 from the General Fund Reserve to General City Responsibility for hurricane relief in Nicaragua for Fiscal Year 2007-2008.

(Fiscal Impact.)

9/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071299 [Updating a statutory reference in provision regarding settlement of minors' claims] **Supervisor Peskin**

Ordinance amending the San Francisco Administrative Code by amending Section 10.22-1, to update a statutory reference in a Code provision regarding the settlement of claims made against the City by minors.

9/11/07, RECEIVED AND ASSIGNED to Rules Committee.

071300 [Approving Agreement with Northern California Joint Pole Association] **Supervisor Peskin**

Ordinance approving an agreement between the City and County of San Francisco and the Northern California Joint Pole Association for a term potentially in excess of ten years and indemnifying the Northern California Joint Pole Association and its members from certain third-party claims for personal injury or property damage, and waiving certain requirements of the San Francisco Administrative Code with respect to the agreement.

9/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071301 [Changing local building standards related to elevators for specified high-rise structures] **Supervisor Peskin**

Ordinance amending the San Francisco Fire Code by amending Section 9001.1.4 to exempt certain high-rise structures having a fire-safe elevator from requirements for a self-contained breathing air replenishment system; amending the San Francisco Fire Code by adding Section 9001.15 to change local building standards to require that certain high-rise structures include an elevator safe for Fire Department use under fire conditions; making findings as to local conditions pursuant to California Health and Safety Code Section 17958.7; and making environmental findings.

9/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/12/2007.

Resolutions

071232 [Seeking a permanent halt to the Blue Angels air show over San Francisco] **Supervisor Daly**

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

8/14/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/11/07, REFERRED to Government Audit and Oversight Committee. Supervisor Daly, seconded by Supervisor Mirkarimi, moved to continue this matter to September 18, 2007. Supervisor Elsbernd moved to refer this matter to Committee.

071258 [Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program] **Supervisors McGoldrick, Maxwell, Mirkarimi**

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

9/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests that the item be scheduled at the City Operations and Neighborhood Services Committee on September 13, 2007.

071279 [Commending Teodoro C. Ildefonzo] Supervisor Maxwell

Resolution commending Teodoro C. Ildefonzo on his 100th birthday and declaring September 11, 2007 "Teodoro C. Ildefonzo" day in San Francisco.

9/11/07, ADOPTED.

071289 [STOP Intersections] Supervisor Alioto-Pier

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Alhambra Street and Mallorca Way, stopping Alhambra Street, making this intersection an all-way STOP.

9/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071295 [Solar Power Projects Long Term Interconnection Agreements] Supervisor Mirkarimi

Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into long term interconnection agreements for photovoltaic power plants projects on City buildings, pursuant to San Francisco Charter Section 9.118.

9/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071297 [Grant funds to support comprehensive drug court implementation] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $287,177 from the California Department of Alcohol and Drug Programs (DADP) to plan and implement a dependency drug court that works across city departments; for the period of July 1, 2007 to December 31, 2007.

9/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071298 [Approval of Modification No. 6 to Lease and Use Agreement L-82-0134 with Alaska Airlines, Inc. at San Francisco International Airport] Supervisor Dufty

Resolution approving and authorizing the execution of Modification No. 6 to the Lease and Use Agreement L-82-0134 with Alaska Airlines, Inc., to realign terminal space in Terminal 1 of San Francisco International Airport.

9/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071303 [CalHome Application] Mayor

Resolution authorizing the Mayor's Office of Housing to accept and expend $1,000,000 from the California Department of Housing and Community Development and to execute any related documents necessary to participate in the CalHome Program.

9/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071304 [Accept-Expend Federal/State Pass Through Grant - Department of Public Library] Mayor

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $13,398 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

9/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071305 [Declaring October 11, 2007 as Eleanor Roosevelt Day] Supervisors Ammiano, Mirkarimi, Maxwell, Daly, McGoldrick, Alioto-Pier, Peskin, Dufty

Resolution declaring October 11, 2007 as Eleanor Roosevelt Day and commending her for her contributions to women's and human rights.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071306 [Supporting the medical practice of acupuncture and Oriental Medicine Study programs] Supervisor Ammiano

Resolution supporting the medical practice of acupuncture and the National Oriental Medicine Accreditation Agency and the creation of Doctor of Oriental Medicine Study programs in the California State university System and University of California medical System.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071307 [Iraq Moratorium] Supervisors Ammiano, Daly

Resolution endorsing the Iraq Moratorium's demands to stop the war and bring the troops home.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071308 [Declaring September 2007 as Reentry Month] Supervisor Mirkarimi

Resolution declaring the month of September 2007 as Reentry month in the City and County of San Francisco.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071309 [Commending the Brotherhood Way Interfaith and Residential Community] Supervisor Elsbernd

Resolution commending the Brotherhood Way Interfaith and Residential Community for their annual Vigil Service of Remembrance for Victims of War and Terrorism.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071310 [Approval of Addendum to Port Lease for Living Classroom at Heron's Head Park] **Supervisor Maxwell**

Resolution approving an Addendum to Lease No. 13816 with Literacy for Environmental Justice for Construction, Maintenance, and Operation of a Living Classroom Building at Heron's Head Park.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071311 [Java House Caf,, LLC Lease] **Mayor**

Resolution approving Port Commission Lease No. 14100 with Java House, LLC, a lease with a fifteen (15) year term for certain real property located at Pier 40« in the City and County of San Francisco at rents starting at the higher of $2,045.00 per month or 7.5% of tenant's gross revenues.

9/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071313 [Lights Out San Francisco] **Supervisors McGoldrick, Alioto-Pier, Peskin**

Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 8:00 PM and 9:00 PM on October 20, 2007 to conserve energy as part of the city-wide energy conservation event: Lights Out San Francisco, and establishing October 20, 2007 as Lights Out San Francisco Day.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

071282 [St. Luke's Hospital] **Supervisor Alioto-Pier**

Hearing to seek information regarding St. Luke's Hospital and the California Pacific Medical Center's plans regarding same and the impact of those plans on San Francisco's health care infrastructure. The hearing will also explore in detail the future of St. Luke's and any plans to eliminate or reorganize services either prior to or upon the completion of the proposed Cathedral Hill location. In addition, the hearing will examine how potential changes to the services provided at St. Luke's will impact the residents of south of Market Street and whether there are any plans to ensure that St. Luke's is in compliance with the California Seismic Safety Act.

9/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071283 [Tax on Transient Occupancy of Hotel Rooms - "Permanent Resident Exemption" - Regulation No. 1.504.2] **Supervisor Alioto-Pier**

Hearing on the Tax on Transient Occupancy of Hotel Rooms - "Permanent Resident Exemption" - Regulation No. 1.504.2. The hearing will explore the unintended consequences of this decision, including the loss of revenue to the City when the airlines inevitably move their crews to another location in the Bay Area where room rates are more competitive.

9/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071284 [Implementation of AB 2745] **Supervisor Ammiano**

Hearing on the implementation of AB 2745.

9/11/07, RECEIVED AND ASSIGNED to Rules Committee.

071285 [Implementation and Enforcement of Gang Injunctions] **Supervisor Daly**

Hearing on changes to San Francisco Police Department policy related to the implementation and enforcement of the gang injunction. How has deployment changed as a result of the injunction? How did individuals get placed on the gang injunction list? How many adult individuals with only juvenile convictions have been placed on the gang injunction list? How do individuals get off the injunction list?

9/11/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071286 [Status of the November 2007 election] **Supervisor Elsbernd**

Hearing on the status of the November 2007 election.

9/11/07, RECEIVED AND ASSIGNED to Rules Committee.

071287 [Police District Station Boundaries and Foot Patrols] **Supervisor Mirkarimi**

Hearing to gather initial public input regarding the review of police district station boundaries and the foot patrol pilot program evaluation.

9/11/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071288 [Oceanview Recreation Center] **Supervisor Sandoval**

Hearing to discuss the construction delays for the new Oceanview Recreation Center with the Recreation and Park Department. The Department shall provide the following information: 1) The status of the project including the causes of construction delays. 2) A breakdown of all additional costs the department has incurred as a result of these delays. 3) The amount of liquidated damages that can be charged against the contractor pursuant to the construction contract. 4) How the Department plans on using the funds collected from the contractor. Also requesting that the Controller's Office investigate this issue and report back on the liquidated damages which the City can charge the developer and whether there are any legal restraints on the use of those funds.

9/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

071302 [Amending the Board's Rules to require a Supervisor request an item be heard at committee prior to calling it to be heard at the Full Board] **Supervisor Peskin**

Motion amending Rule 5.31 to the Board of Supervisors' Rules of Order, to require a Supervisor request a hearing at a Committee of the Board before calling an item to be heard before the full Board of Supervisors.

9/11/07, RECEIVED AND ASSIGNED to Rules Committee.

071312 [Confirmation of Human Resources Director] Mayor

Motion confirming appointment of Micki Callahan as Human Resources Director.

9/11/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

071237 [Settlement of Lawsuit - Pacific Bell Telephone Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for $94,000.00; the lawsuit was filed on October 25, 2006 in San Francisco County Superior Court, Case No. 457-327; entitled Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

8/14/07, RECEIVED AND ASSIGNED to Rules Committee.

071233 [Penalty for Removing Chalk Marks] Supervisor McGoldrick

Ordinance amending San Francisco Traffic Code Sections 21 and 132 to impose a penalty for removing chalk marks of one hundred ($100) dollars for any violation and to make minor changes to clarify the parking restriction. (Municipal Transportation Agency)

8/20/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071238 [Settlement of Lawsuit - Jane Martin, et al. (Order Sons of Italy) v. CCSF]

Ordinance authorizing settlement of the portion of the lawsuit filed by Order Sons of Italy in America Grand Lodge of the Golden West Corporation against the City and County of San Francisco for $75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

8/14/07, RECEIVED AND ASSIGNED to Rules Committee.

071239 [San Francisco Traffic Code Revisions]

Ordinance repealing San Francisco Traffic Code Sections 3.1, 3.4, 3.5, 3.7, 3.14, 3.14.1, 7, 109, and 200, in their entirety, to eliminate definitions that conflict with or duplicate state law, and amending Section 3.16 to substitute the "Municipal Transportation Agency" for the "Department of Public Works." (Municipal Transportation Agency)

8/14/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071246 [Settlement of Lawsuit - Theodore Tarver, Jr. (Kathryn Cox) v. CCSF]

Ordinance authorizing settlement of an award of attorney's fees to attorney Kathryn Cox for $162,941 against the City and County of San Francisco; the underlying lawsuit was filed on July 19, 2002 in San Francisco Superior Court, Case No. 410499 entitled Theodore Tarver, Jr. v. City and County of San Francisco. (City Attorney)

8/27/07, RECEIVED AND ASSIGNED to Rules Committee.

071252 [Settlement of City's Lawsuit Against Aquila, Inc. and Aquila Merchant Services, Inc.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides $1,500,000 from defendants Aquila, Inc. and Aquila Merchant Services, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants. (City Attorney)

8/29/07, RECEIVED AND ASSIGNED to Rules Committee.

071253 [Settlement of City's Lawsuit Against Enserco Energy, Inc.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides $750,000 from defendant Enserco Energy, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants. (City Attorney)

8/29/07, RECEIVED AND ASSIGNED to Rules Committee.

071256 [Settlement of City Claim Against PG&E]

Ordinance approving the settlement of a claim asserted by the City and County of San Francisco against Pacific Gas & Electric Company in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM. (City Attorney)

8/31/07, RECEIVED AND ASSIGNED to Rules Committee.

071257 [San Francisco Fire Code]

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

8/31/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

PROPOSED RESOLUTIONS

071197 [Department of Public Works - Bayview Transportation Improvement Project Fiscal

Feasibility]

Resolution adopting findings that the Bayview Transportation Improvement Project is fiscally feasible and responsible under Administrative Code Chapter 29. (Public Works Department)

8/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071234 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
25th Street and Minnesota Street, stopping Minnesota Street, making this uncontrolled intersection a two-way STOP;

Hampshire at 17th Street, stopping Hampshire Street, the stem of this T-intersection;

Cesar Chavez Street at Castro Street, stopping Cesar Chavez Street, making this uncontrolled intersection a two-way STOP;

Edna Street at Joost Avenue, stopping Edna Street, the stem of this T-intersection;

Ankeny Street and Ordway Way, stopping Ankeny Street, making this intersection an All-Way STOP; and,

Hudson Avenue at Cashmere Street, stopping Hudson Avenue, making this intersection an All-Way STOP. (Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

8/13/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071235 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Masonic Avenue, northbound and southbound, at Turk Street (extending turn restriction time from 6 PM to 7 PM).

NO LEFT TURN - ESTABLISH
13th Street at Harrison Street, eastbound (Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

8/13/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071236 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
10th Street, west side, between Bryant Street and Division Street.

PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY
THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 2 (2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY
THROUGH SATURDAY) - ESTABLISH
11th Street, both sides, between Market and Mission Streets

PARKING METERS (AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Clay Street, south side, from 106 feet west of Webster Street to 73 feet east of Fillmore Street.

ANGLE (45-DEGREE) PARKING - RESCIND
20th Avenue, east side, from Ortega Street to 144 feet southerly

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH
Colin P. Kelly Jr. Street,east side, between Brannan Street and Townsend Street,
adding 2 Townsend Street to Residential Permit Parking Area Y.

2 HOUR SIGNED PARKING TIME LIMIT - RESCIND
PARKING METERS (AREA 1, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Brannan and Townsend Streets, between 2nd Street and Colin P. Kelly Jr. Street.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Leavenworth Street, west side, between Lombard Street and Greenwich Street
Lombard Street, south side, between Leavenworth and Jones Streets

PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY
THROUGH SATURDAY) - ESTABLISH
Stevenson Street, north side, from 7th Street to western terminus

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
7th Street, west side, from Stevenson Street to 62 feet southerly
7th Street, west side, from 128 feet south of Stevenson to Mission Street (248-foot zone)
Mission Street, north side, from 308 feet west of 7th Street to 38 feet westerly

PASSENGER LOADING ZONE, 6 AM TO 7 PM, MONDAY THROUGH FRIDAY, TOW-
AWAY NO STOPPING ALL OTHER TIMES -- ESTABLISH
7th Street, west side, from 62 feet south of Stevenson to 128 feet southerly (66-foot zone

YELLOW LOADING ZONE, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY, TOW

AWAY NO STOPPING ALL OTHER TIMES -- ESTABLISH
Mission Street, north side, from 111 feet west of 7th Street to 197 feet westerly (4 meters) (Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

8/13/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071245 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed $31 million and its contract with Xtech to exceed $37 million]

Resolution authorizing the Office of Contract Administration to enter into the Sixth Amendment between the City and En Pointe (part of the Computer Store procurement vehicles), to increase the contract amount to $35 million, and to enter into the Eighth Amendment between the City and Xtech (also part of the Computer Store procurement vehicle), to increase the contract amount to $51 million. (Office of Contract Administration)

(Fiscal Impact.)

8/23/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071254 [Endorsing tree for landmark tree status at 4124 - 23rd Street]

Resolution endorsing landmark tree designation of the coast live oak (Quercus agrifolia) located at 4124 - 23rd Street. (Environment)

8/29/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071255 [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year 2006-2007 and thereafter]

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year ending June 30, 2007 and thereafter. (Controller)

8/30/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071262 [Study of HIV transmission behavior in HIV-positive men]

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $37,906 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex are reduced, for the period of September 1, 2006 to August 31, 2007. (Public Health Department)

8/31/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:

Emergency Boxes:

Southwest corner of Cole and Waller

Northeast corner Divisadero and Fell

Southwest corner of Gough and Oak

Fire Hydrant

Northeast corner of Haight and Ashbury

Southwest corner of Haight and Ashbury

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the status of removing graffiti or repairing signs on the DPT property at the following locations:

Graffiti

"STOP SIGN" at Southeast Central and Haight

"STOP SIGN" at Southeast Waller and Ashbury

"STOP SIGN" at Southeast Waller and Clayton

"STOP SIGN" at Southeast Grove and Laguna

No Parking Sign in front of 1485 Haight Street

"No Pedestrian Crossing" sign at the southwest corner of Geary and Steiner

"No Pedestrian Crossing" sign at the northwest corner of Hayes and Gough

Repair

Street Cleaning sign needs replacement (not readable) in front of 1449 Page

Residential Permit Parking sign falling at 2685 California

MUNI Signs and Poles

Southbound Stop to Haight and Hayes

MUNI poles at Central and Stanyan

MUNI poles at Buena Vista East and Buena Vista West

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:

Oak between Webster and Gough

Laguna between Geary and Ellis

Page between

In Memoriams

Olga Rose - Entire Board

Bill Sorro - Entire Board

Peter Gilmore Gray - Supervisor Elsbernd

Daniel Patrick Murphy - Supervisor Elsbernd

Tony Cassidy - Supervisor Elsbernd

George John Landis - Supervisor Peskin

Judge Lawrence S. Mana - Supervisor Peskin

ADJOURNMENT

There being no further business, the Board, adjourned at the hour of 7:59 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological *sequence in which the matters were taken up.*

Approved by the Board of Supervisors on October 2, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

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AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

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September 18, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, September 18, 2007
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, ED JEW, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Ed Jew, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor Ammiano was noted absent.

There was a quorum.

Supervisor Ammiano was noted present at 2:07 p.m.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Public Safety Committee

071134 [Accept-Expend Grant - Public Defender] **Supervisors Maxwell, Dufty**

Ordinance authorizing the Office of the Public Defender to accept and expend a grant in the amount of $70,000 from the Zellerbach Family Foundation for a court alternative specialist position dedicated to working with the children of incarcerated parents (CIP).

Supervisor Dufty requested to be added as a co-sponsor.

Enacted Number: 219-07

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

From the Board

070667 [Medical Cannabis Dispensary Permits] **Supervisor Alioto-Pier**

Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; (f) clarify the definition of "medical cannabis dispensary; and (g) adopting General Plan, Planning Code Section 101.1(b) and environmental findings."

Supervisor Jew was previously excused from voting on this matter.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to amend on page 3, "Section 3301 (f) and on page 16, "Section 3308 (y)."

Motion to amend passed without objection.

Supervisor Alioto Pier, seconded by Supervisor Elsbernd, moved to amend by on page 17, line 7, (2) by deleting "any ground floor service area must be." and by adding after "accessible" the language "service areas."

Motion to amend failed by the following vote:

Ayes: 3 - Alioto-Pier, Elsbernd, Sandoval

Noes: 7- Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Excused: 1- Jew

Supervisor Daly, seconded by Supervisor Mirkarimi, moved to amend on page 17, line 10, (3) by deleting " where "the Access Appeals Commission"

Motion to amend passed without objection.

Supervisor Alioto-Pier requested to divide the question to include language relating to "any ground floor service area must be" and to add after "accessible" the language "service areas."

On the question to include the language relating to "any ground floor service area must be" and to add after "accessible" the language "service areas."

Divided question passed by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Alioto-Pier, Elsbernd, Sandoval

Excused: 1- Jew

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Elsbernd, Sandoval
Excused: 1 - Jew

Called from the City Operations and Neighborhood Services Committee

060589 [Liquor License Transfer, 845 Market Street, Space 010]

Resolution determining that the transfer of a Type 21 off-sale general license from 1001 South Van Ness Avenue to 845 Market Street, basement of the San Francisco Centre, Space 010 to Bristol Farms Inc., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

NOT ADOPTED by the following vote:

Ayes: 2 - Elsbernd, Jew
Noes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071085 [Appropriating $5,647,000 for increased costs at San Francisco General and Laguna Honda Hospitals in the Department of Public Health retroactive to Fiscal Year 2006-2007] Mayor

Ordinance appropriating $5,647,000, including $4,591,000 of Patient Revenue to support increased overtime, fringes and services of other departments at San Francisco General Hospital and $1,056,000 of MediCal revenues at Laguna Honda hospital to support salary and fringes at Laguna Honda Hospital for the Department of Public Health retroactive to Fiscal Year 2006-2007.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071165 [Setting San Francisco's fiscal year 2007-2008 property tax rate and establishing pass-through rate for residential tenants] **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071166 [Setting San Francisco Community College District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate] **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071167 [Setting San Francisco Unified School District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate] **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071168 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate] **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2008.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071193 [Minimum Compensation Ordinance] **Supervisors Ammiano, Peskin, McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 12P.5.1 to amend the Minimum Compensation Ordinance by imposing additional contract requirements on City contractors, including Airport property contractors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070980 [Accept-Expend Federal Grant - Airport Commission]

Resolution authorizing the Airport Commission to retroactively accept and expend funding in a total amount of $2,297,483 from the Transportation Security Administration ("TSA") for Airport K-9 Explosives Detection Team Program. (Airport Commission)

(No Economic Impact)

Enacted Number: 515-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071055 [Extension of Contract Third Street Light Rail Project Consultant Jacobs Civil] **Supervisor Maxwell**

Resolution approving the increase of $2,563,000 for Municipal Railway Contract No. CS-132, Quality Assurance and Construction Management Services for Phase I of the Third St. Light Rail Transit Project.

Enacted Number: 514-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071092 [Contract between the Department of Public Health and San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 24] **Supervisor Ammiano**

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract between the City and County of San Francisco and the San Francisco Community Health Authority to provide universal health insurance services for San Francisco children and young adults aged 0 through 24 and young parents aged 19 through 24 for the period of July 1, 2007 through June 30, 2008 in the amount of $11,342,433.

(Fiscal Impact.)

Enacted Number: 503-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071164 [Approval of two contracts with Siemens Medical Solutions USA, Inc. to support and maintain clinical and financial software applications in use by the Department]

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively enter into two contracts with Siemens Medical Solutions USA, Inc. (Siemens) for the continued licensing and maintenance of proprietary Siemens applications for the term July 1, 2007 through June 30, 2012. (Public Health Department)

(Fiscal Impact.)

Enacted Number: 505-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071229 [Park, Recreation and Open Space General Obligation Bonds] **Mayor, Supervisor Peskin**

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or reconstruction of park, recreation and open space projects within the City and County of San Francisco and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated cost of $185,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code section 2.34.

Enacted Number: 502-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

Recommendations of the Government Audit and Oversight Committee

071223 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Can San Francisco Keep its Promise to Reduce Greenhouse Gas Emissions?"] **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Can San Francisco Keep its Promise to Reduce Greenhouse Gas Emissions?".

Enacted Number: 516-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071224 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Parking for the Disabled-Abuse or Over-Use?"] **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Parking for the Disabled-Abuse or Over-Use?".

Enacted Number: 517-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071225 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Risk Management: Are the Managers Managing the Risks of the City"] **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Risk Management: Are the Managers Managing the Risks of the City".

Enacted Number: 518-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071226 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Compensation and Staffing Issues in the San Francisco Police Department"] **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Compensation and Staffing Issues in the San Francisco Police Department".

Enacted Number: 519-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071177 [FY 2007-2008 California Constitution Appropriations Limit] **Supervisor Peskin**

Resolution establishing the appropriations limit for Fiscal Year 2007-08 pursuant to California Constitution Article XIII B.

Enacted Number: 511-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,

McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Jew, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Jew introduced, welcomed and presented Certificates of Honor to the members of the San Francisco Angels Girls Softball Team.

SPECIAL ORDER 4:00 P.M.

Supervisors McGoldrick and Sandoval were noted absent at 3:45 p.m.

070910 [Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 2, 2007

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,

Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 [Affirming the categorical exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 2, 2007

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

070912 [Disapproving the categorical exemption issued for the 3424 Jackson Street project]

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 2, 2007

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

070913 [Preparation of findings related to the 3424 Jackson Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 2, 2007

Supervisor Alioto-Pier, seconded by Supervisor Jew, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin

Absent: 2 - McGoldrick, Sandoval

Supervisor McGoldrick was noted present at 4:14 p.m.

Supervisor Sandoval was noted present at 4:18 p.m.

Supervisor Dufty Excused From Voting

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to excuse Supervisor, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

SPECIAL ORDER 4:00 P.M.

070905 [Public Hearing - Appeal of Mitigated Negative Declaration - 601 Duboce Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on June 7, 2007, approving a Mitigated Negative Declaration (File No. 2004.0603E), for the proposed development project at 601 Duboce Avenue.

(Filed June 19, 2007; Appellant; Nicole M. Phillips on behalf of Service Employees International Union, United Health Care) companion measure to Files 070906, 070907, 070908, District 8.)

The President inquired as to whether any member of the public wished to address the Board members.

John Marshall, Attorney for the appellant

Tim Paulson, SF Labor Council; support of the appellant

Cony Ford, SF Labor Council; support of the appellant

Dean Morehouse; support of the appellant

Howard Wallace; support of the appellant

Eleanor Milroy; support of the appellant

B. Miller; support of the appellant

Marlene Morgan; support of the appellant

Sharon Lynn; support of the appellant

Clare Bowman; support of the appellant

Val Garcia; support of the appellant

Suhail Bucks; support of the appellant

Leon Chow, Health Care Workers; support of the appellant

Female speaker; support of the appellant

Jonathan Youth, support of the appellant

Rick Galbreath; support of appellant

Silvia Johnson; support of the appellant

Michael Jacinto and Bill Wycko, Planning Department's representatives reviewed with the Board the Planning Department's recommendation.

Sharon Lavicki, Environment Corporation responded to questions raised by the Board members.

Tay Via, Attorney for the project sponsor

Howard Chandler; support of the project sponsor

Judge Herb Donaldson; support of the project

Garrett; support of the project sponsor

Linda Magellan; support of the project sponsor

Male speaker; support of the project sponsor

Bob Barnwell; support of the project sponsor

Mary Fields; support of the project sponsor

Walter Ginsell; support of the project sponsor

Richard McGarry; support of the project sponsor

Robert Miller M.D.; support of the project sponsor

Deanna Norris; support of the project sponsor

Anton Shium; support of the project sponsor

Brian Andrews M.D., support of the project sponsor

Vicki ; support of the project sponsor

Holly McNanus; support of the project sponsor

Jim Salinas, Carpenters Union; support of the project sponsor

Kathy Davis; support of the project sponsor

Dennis Richards; support of the project sponsor

Greg Wilcox; support of the project sponsor

Jody Bales; support of the project sponsor

Scott Rome M.D.; support of the project sponsor

Somona Schick; support of the project sponsor

Dallas Horseshoe; support of the project sponsor

The President declared the public hearing closed.

Rebuttal Period: John Marshall, Attorney for the appellant

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be approved.)

070906 [Affirming adoption of the mitigated negative declaration for 601 Duboce Avenue]

Motion affirming Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue. (Clerk of the Board)

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval
Excused: 1 - Dufty

070907 [Reversing adoption of the mitigated negative declaration for 601 Duboce Avenue]

Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue. (Clerk of the Board)

Enacted Number: M07-112

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval
Excused: 1 - Dufty

070908 [Preparation of findings to reverse adoption of the mitigated negative declaration for 601 Duboce Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 601 Duboce Avenue. (Clerk of the Board)

Enacted Number: M07-111

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Elsbernd, Jew, Sandoval
Excused: 1 - Dufty

SPECIAL ORDER 4:00 P.M.

Supervisor Dufty was previously excused from voting on these matters.

(File Nos. 070905 - 070908 and File Nos. 071024 - 071027)

071024 [Public Hearing - Conditional Use Appeal for 601 Duboce Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Director by Motion No. 17444 dated June 7, 2007 (Case No. 2004.0603CE), approving conditional use authorization under Planning Code Section 303 and 304 to amend a previously approved conditional use authorization for a planned unit development and annual limit review for office development (Case No. 1987.847BC, Motion No. M13254 and M13255) and develop a new four story, 50,075 gross-square-feet (gsf), medical clinic and office building. The new building would contain medical offices, a Neuromuscular and Electroencephalogram Clinic, circulation/mechanical/support space, a pharmacy, an admitting station, located on the fourth story that connects to the existing adjacent ambulatory surgery department in the CPMC Hospital North Tower. As a Planned Unit Development, the project is seeking modifications to Planning Code requirements for rear yard and independently accessible parking. The property is in an RH-3 (Residential, House, Three-Family) Use District. While the five-story hospital north tower is the only building located in the 130-E Height and Bulk District portion of the site, the remaining portion (including the location of the project) is in the 65-D Height and Bulk District on property located at: 601 Duboce Avenue; Lot 001 in Assessor's Block 3539. (Appellant: Seabrook Leaf)

(Filed 7/9/07; companion measure to Files 071025, 071026, 071027; District 8.)

This matter was removed from the Board Agenda and filed pursuant to the Board's action on File Nos. 070906, 070907 and 070908 to reverse the Planning Commission's adoption of the final mitigated negative declaration for 601 Duboce.

FILED.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or *someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

(Only one of the following two motions should be approved.)

071025 [Approving Conditional Use Application for property located at 601 Duboce Avenue]

Motion approving decision of the Planning Commission by its Motion No. 17444, approving Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue, and adopting findings pursuant to Planning Code Section 101.1.

This matter was removed from the Board Agenda and filed pursuant to the Board's action on File Nos. 070906, 070907 and 070908 to reverse the Planning Commission's adoption of the final mitigated negative declaration for 601 Duboce.

FILED.

071026 [Disapproving Conditional Use Application for property located at 601 Duboce Avenue]

Motion disapproving decision of the Planning Commission by its Motion No. 17444, approving Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue.

This matter was removed from the Board Agenda and filed pursuant to the Board's action on File Nos. 070906, 070907 and 070908 to reverse the Planning Commission's adoption of the final mitigated negative declaration for 601 Duboce.

FILED.

071027 [Findings - 601 Duboce Avenue Conditional Use Application Appeal]

Motion directing the Clerk to prepare findings related to the proposed Conditional Use Application 2004.0603CE on property located at 601 Duboce Avenue.

This matter was removed from the Board Agenda and filed pursuant to the Board's action on File Nos. 070906, 070907 and 070908 to reverse the Planning Commission's adoption of the final mitigated negative declaration for 601 Duboce.

FILED.

COMMITTEE REPORTS

Supervisor Daly Excused from Voting

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved to excuse Supervisor Daly, at his request, because of possible conflict of

interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

071190 [Appointment to San Francisco LAFCO] Supervisor Mirkarimi

Motion appointing Supervisor Chris Daly, term ending February 20, 2011, to the San Francisco Local Agency Formation Commission.

Enacted Number: M07-110

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

071180 [Armando Peraza Day - September 1, 2007] Supervisor Peskin

Resolution declaring September 1, 2007 "Armando Peraza Day" in San Francisco.

Enacted Number: 513-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071182 [Commending John Barleycorn Pub] Supervisor Peskin

Resolution commending John Barleycorn Pub for almost 40 years of enriching the City.

Enacted Number: 512-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071183 [Sea Otter Awareness Week - September 23 - 29, 2007] Supervisor Peskin

Resolution declaring September 23-29 Sea Otter Awareness Week.

Enacted Number: 506-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071187 [Commending Chad Jacobs] Supervisors Peskin, Elsbernd, Dufty

Resolution commending Chad Jacobs for his outstanding years of service as a

Deputy City Attorney.

Supervisor Dufty requested to be added as a co-sponsor.

Enacted Number: 508-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071258 [Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program] Supervisors McGoldrick, Maxwell, Mirkarimi

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

Continued to October 2, 2007

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Adullah Megaheed; expressed concern with issues relating to the Iraq War

James Chaffee; expressed concern with issues relating to the SF Public Library

Eugene Gordon Jr. ; expressed concern with issues relating to the violation of human rights

Steve Woosley; expressed concern with issues relating to saving Coit Tower

Female; expressed concern with issues relating to her eviction

Richard Robinson; showed gratitude for the opening of Buster's Place

Female speaker; expressed concern with issues relating to being abused at hospital facilities

Espanola Jackson; expressed concern with issues relating Item No. 45 relating to the Port lease for Living Classroom at Heron's Head Park and requested to refer this matter to committee

Silvia Johnson; expressed concern with general issues in San Francisco

Frank da Costa; expressed concern with issues relating to the South East sector of the City and toxic elements in that area

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Supervisors McGoldrick and Sandoval were absent at 3:45 p.m.

071305 [Declaring October 11, 2007 as Eleanor Roosevelt Day] **Supervisors Ammiano, Mirkarimi, Maxwell, Daly, McGoldrick, Alioto-Pier, Peskin, Dufty**

Resolution declaring October 11, 2007 as Eleanor Roosevelt Day and commending her for her contributions to women's and human rights.

Enacted Number: 507-07

ADOPTED

071306 [Supporting the medical practice of acupuncture and Oriental Medicine Study programs] **Supervisor Ammiano**

Resolution supporting the medical practice of acupuncture and the National Oriental Medicine Accreditation Agency and the creation of Doctor of Oriental Medicine Study programs in the California State university System and University of California medical System.

Enacted Number: 520-07

ADOPTED

071308 [Declaring September 2007 as Reentry Month] **Supervisor Mirkarimi**

Resolution declaring the month of September 2007 as Reentry month in the City and County of San Francisco.

Enacted Number: 509-07

ADOPTED

071309 [Commending the Brotherhood Way Interfaith and Residential Community] **Supervisor Elsbernd**

Resolution commending the Brotherhood Way Interfaith and Residential Community for their annual Vigil Service of Remembrance for Victims of War and Terrorism.

Enacted Number: 510-07

ADOPTED

071313 [Lights Out San Francisco] **Supervisors McGoldrick, Alioto-Pier, Peskin**

Resolution to support extinguishing all non-essential lighting in all city government buildings, public schools and public landmarks for the hour between 8:00 PM and 9:00 PM on October 20, 2007 to conserve energy as part of the city-wide energy conservation event: Lights Out San Francisco, and establishing October 20, 2007 as Lights Out San Francisco Day.

Supervisor Peskin requested to be added as a co-sponsor.

Enacted Number: 504-07

ADOPTED

071263 [Final Map - 5600 Third Street]

Motion approving Final Map 3813, a 124 Unit Residential Condominium Project, located at 5600 Third Street being a subdivision of Lots 012 and 013 in Assessors Block No. 5421 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 177,048; District 10.)

Enacted Number: M07-109

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, Mirkarimi, Peskin
Absent: 2 - McGoldrick, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Jew requested that this matter be severed so that it might be *considered separately.*

071307 [Iraq Moratorium] **Supervisors Ammiano, Daly**

Resolution endorsing the Iraq Moratorium's demands to stop the war and bring the troops home.

Supervisor Jew requested that this matter be referred to Committee.

REFERRED to the Rules Committee.

Supervisor Peskin requested that this matter be severed so that it might be considered separately.

071310 [Approval of Addendum to Port Lease for Living Classroom at Heron's Head Park] **Supervisor Maxwell**

Resolution approving an Addendum to Lease No. 13816 with Literacy for Environmental Justice for Construction, Maintenance, and Operation of a Living Classroom Building at Heron's Head Park.

Supervisor Peskin requested that this matter be referred to Committee.

REFERRED to the Budget and Finance Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances Resolutions Requests for Hearing Motions Introduced by the President at the Request of Departments

Ordinances

071331 [Requiring Activation of Closed Captions on Television Receivers] **Supervisor Alioto-Pier**

Ordinance amending the San Francisco Police Code by adding Article 44, Sections 4400 to 4407 to require the activation of closed captioning on television receivers intended for use by the general public and authorizing the imposition of civil penalties and/or criminal fines for violations of this requirement.

9/18/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 10/18/2007.

071333 [Municipal Identification Cards] **Supervisor Ammiano**

Ordinance adding Section 95.2 to the San Francisco Administrative Code authorizing the County Clerk to issue municipal identification cards upon request to residents of the City and County of San Francisco.

(Fiscal Impact.)

9/18/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/18/2007. Sponsor requests that the item be referred to Rules Committee.

071338 [Planning Code-Conditional Use Authorization for New Construction Shading Existing Registered Solar Energy Systems] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code to amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

9/18/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071343 [Street encroachment sensu sculpture as a gateway icon for Japantown on Webster Street] **Supervisor Mirkarimi**

Ordinance granting revocable permission to the Japanese Cultural and Community Center of Northern California to occupy a portion of the public right-of-way for the installation of a sensu sculpture on the median of Webster Street between Geary Boulevard and Post Street in the Japantown neighborhood; waiving permit and right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

9/18/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071346 [Establishing the SF Promise Fund to receive funds from any source to support programs to increase the enrollment of San Francisco public school students in colleges and universities.] **Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-370, to establish the SF Promise Fund to support programs to increase the enrollment of San Francisco public school students in colleges and universities.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071347 [Transfer of Unexpended Mayoral Election Funds For 2007 Election To SF Promise Fund] **Mayor**

Ordinance amending Campaign and Governmental Conduct Code Section 1.138.5 to provide that funds in the Mayoral Election Campaign Fund not used in the November 6, 2007 municipal election shall be transferred to the SF Promise Fund.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071090 [Regulation of False Political Telemarketing Through Persuasion Polls] **Supervisors Daly, Ammiano, Mirkarimi**

Ordinance amending the Campaign and Governmental Conduct Code by adding section 1.160.5 to require that persons conducting or paying for telephonic persuasion polls must disclose information to call recipients during the telephone calls and must file disclosures with the San Francisco Ethics Commission.

7/24/07, RECEIVED AND ASSIGNED to Rules Committee. (Referred to Ethics Commission)

9/18/07, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing the same title.

9/18/07, ASSIGNED to Rules Committee.

Resolutions

071307 [Iraq Moratorium] **Supervisors Ammiano, Daly**

Resolution endorsing the Iraq Moratorium's demands to stop the war and bring the troops home.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/18/07, REFERRED to Rules Committee. Supervisor Jew requested that this matter be referred to Committee.

071310 [Approval of Addendum to Port Lease for Living Classroom at Heron's Head Park] **Supervisor Maxwell**

Resolution approving an Addendum to Lease No. 13816 with Literacy for Environmental Justice for Construction, Maintenance, and Operation of a Living Classroom Building at Heron's Head Park.

9/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/18/07, REFERRED to Budget and Finance Committee. Supervisor Peskin requested that this matter be referred to Committee.

071332 [Interim Zoning - conditional use authorization in the Eastern Neighborhoods Area Plans] **Supervisor Ammiano**

Resolution imposing interim zoning controls to require conditional use authorization for all uses in the Eastern Neighborhoods, including the submission of various reports, for an eighteen (18) month period and making environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

9/18/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071334 [Interdepartmental Working Group on Underground Infrastructure] **Supervisor McGoldrick**

Resolution establishing an interdepartmental working group to review options and coordinate planning and implementation for the installation of new conduits, fiber optic cable, or electric cable throughout the City and to report its findings to the Board of Supervisors.

9/18/07, RECEIVED AND ASSIGNED to Rules Committee.

071335 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Continuity Report - Have City Agencies Done What They Said They Would Do After the Civil Grand Jury of 2005-2006 Issued Its Reports?"] **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Continuity Report - Have City Agencies Done What They Said They Would Do After the Civil Grand Jury of 2005-2006 Issued Its Reports?".

9/18/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

071336 [Board response to the 2006-2007 Civil Grand Jury Report entitled "The Entertainment Commission: A Work in Progress"] **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "The Entertainment Commission: A Work in Progress".

9/18/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

071337 [Board response to the 2006-2007 Civil Grand Jury Report entitled "Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and the Department of Public Health"] **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and the Department of Public Health".

9/18/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

071339 [Grant of Federal Funds, Municipal Transportation Agency - $46,547,421] **Supervisor Peskin**

Resolution authorizing the Municipal Transportation Agency to accept and expend $46,547,421 of Federal Transit Administration Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071340 [Grant of Federal Funds, Municipal Transportation Agency - $31,854,482] **Supervisor Peskin**

Resolution authorizing the Municipal Transportation Agency to accept and expend $31,854,482 of Federal Transit Administration Section 5307 capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071342 [Grant of Federal Funds, Municipal Transportation Agency - $1,805,760] **Supervisor Maxwell**

Resolution authorizing the Municipal Transportation Agency to accept and expend $1,805,760 of Federal Transit Administration Section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility and the purchase of Automatic Vehicle Locator (AVL) equipment.

(Fiscal Impact.)

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071344 [Master Agreement for State Aid Transportation Funds] **Mayor**

Resolution approving the execution of a Master Agreement for State-Aid Projects between the City and County of San Francisco, through its Municipal Transportation Agency (for the Department of Parking and Traffic), and the California Department of Transportation.

9/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071345 [Accept-Expend Federal Grant, Department of the Environment - $200,000] **Mayor**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the U.S. Department of Energy for the Solar America Initiative in order to fund technical consultants, the development and publication of outreach materials and City staff time over a two-year period for the purpose of energy reduction.

9/18/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071352 [Supporting Private Security Officers Week of Action] **Supervisor Daly**

Resolution supporting the private security officers and their union SEIU 24-7's week of action to win improved training for personal advancement, a living wage and full family health benefits on par with janitors and other workers in San Francisco's commercial real estate sector; and encouraging the City's wealthiest property owners and the security company contractors such as ABM and Securitas to end the double standard facing security officers who struggle to make ends meet based on the low wages and often unaffordable healthcare premiums.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071353 [Approval of a 45-day extension for Planning Commission review] Supervisor Daly

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 315.4 and the addition of 315.6A that would allow project sponsors the option of paying the inclusionary housing in-lieu fee to a qualifying nonprofit entity to acquire and rehabilitate units as permanently affordable rental housing if the number of resulting units will be 25% higher than the amount provided under the existing off-site alternative.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071354 [Daniel Pearl Day - October 10, 2007] Supervisors Peskin, Dufty

Resolution declaring October 10, Daniel Pearl World Music Day in San Francisco.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071355 [Approval of a 30 day extension for Planning Commission review] Supervisor Peskin

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 121.2 to move the Polk Street Neighborhood Commercial District from a 3,000 square foot use size limit to a 2,000 square foot size limit, and amend Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071356 [Supporting City of Oakland to fight lawsuit against Plastic Bag Ban] Supervisor Mirkarimi

Resolution supporting the City of Oakland in fighting a lawsuit that has been brought against Oakland's recently passed ban on non-compostable check out plastic bags at large retail stores and urging the City of Oakland to fight the industry suit and not to conduct a full environmental impact report that could set a precedent for other local government efforts to protect the environment.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071357 [Declaring October 2 International Day of Nonviolence and Spinning Wheel Birthday] **Supervisor Mirkarimi**

Resolution declaring October 2 International Day of Non-violence and, in accordance with the wishes of Mohandas K. Gandhi commemorating his date of birth, October 2, as the Spinning Wheel Birthday.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071358 [Requesting Police Department to end vehicle impounding] **Supervisor Sandoval**

Resolution urging the San Francisco Police Department to temporarily cease the impoundment of vehicles for lack of a California Driver's License, pending City Attorney review of current law.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071359 [SF Climate Challenge] **Supervisor Alioto-Pier**

Resolution to support public participation in the SF Climate Challenge and to name October 25, 2007 SF Climate Challenge Day, with the goal of reducing energy use in City residences, thereby reducing the emission of greenhouse gases which cause global warming.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070931 [Seeking a permanent halt to the Blue Angels air show over San Francisco] **Supervisors Daly, Mirkarimi, Sandoval, Ammiano**

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

(No Economic Impact) (Supervisor Daly dissented in Committee)

6/19/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/26/07, REFERRED to Government Audit and Oversight Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

9/18/07, REACTIVATED PURSUANT TO RULE 5.31. Supervisors Daly Mirakarimi, Sandoval, and Ammiano called the item from Committee per Rule 5.31.

9/18/07, CALLED FROM COMMITTEE. Pursuant to Rule 5.31 Supervisors Daly, Mirkarimi, Sandoval and Ammiano called this measure from Government Audit and Oversight Committee.

Requests for Hearing

071330 [Shanghai Garden in Golden Gate Park] **Supervisor McGoldrick**

Hearing to discuss plans for a Shanghai Garden in Golden Gate Park. Requesting the Department of Recreation and Parks, the Shanghai Sister

Committee and a representative from the Mayor's office to provide information on the proposed plan.

9/18/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motion

071341 [Rules of Order - Material Economic Impact Legislation] **Supervisor Peskin**

Motion amending Rule 6.25 of the Rules of Order of the Board to clarify its applicability to the Board proceedings and its inapplicability to determinations of material economic impact by the Office of Economic Analysis.

9/18/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

071274 [San Francisco Building Code]

Ordinance repealing the San Francisco Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071275 [San Francisco Electrical Code]

Ordinance repealing the San Francisco Electrical Code in its entirety and replacing that code with a new 2007 San Francisco Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071276 [San Francisco Housing Code]

Ordinance repealing the San Francisco Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071277 [San Francisco Mechanical Code]

Ordinance repealing the San Francisco Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071278 [San Francisco Plumbing Code]

Ordinance repealing the San Francisco Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

9/7/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/18/2007.

071281 [Procurement of Construction Management and General Contractor services for the new Public Utilities Commission administrative building at 525 Golden Gate]

Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to require an alternative competitive process based on experience, qualifications, and price. (Public Utilities Commission)

9/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

071280 [Sale of Surplus Real Property Located in the

City of South San Francisco]

Resolution approving an Agreement For Sale of Real Estate between the City and County of San Francisco and The Redevelopment Agency of the City of South San Francisco pertaining to approximately 13.64 acres of land located in the vicinity of Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

9/7/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor McGoldrick
To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to explore legislation that would require appointments to chartered boards and commissions to be comprised of 50% women in an effort to get more diversity within the advisory bodies to the City family.

From: Supervisor Mirkarimi
To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting that the Recreation and Park Department report on the status of removing graffiti from the front of Kezar Pavilion.

From: Supervisor Mirkarimi
To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting that the Recreation and Park Department report on the status of repairing the swingset at the Panhandle Children's Playground.

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of repairing the sidewalks at 545 Linden.

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of replacing the removed garbage cans at the following locations:

- *Northwest corner of Divisadero and Page Street*

From: Supervisor Mirkarimi
To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting that the Public Utilities Commission report on the status of removing graffiti at the following locations:

Metal Poles

- *Northeast corner of Irving and 15th Ave*
- *8th Avenue between Lincoln and Irving*
- *Northeast corner of Haight and Scott*
- *Hayes Street between Laguna and Fillmore*
- *Northwest corner of Turk and Webster*

Wooden Poles

- *Both Sides of Irving Street between 2nd and 3rd*
- *Middle of 1200 block of Oak Street*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:

- *Frederick between Clayton and Cole*
- *Irving between 3rd and 6th Avenue*
- *8th Avenue between Lincoln and Irving*
- *Masonic between Haight and Hayes*
- *19th Avenue between Judah and Irving*
- *676 Hayes between Laguna and Fillmore*
- *Cole between Haight and Waller (signed also turned)*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking and Traffic report on the status of removing graffiti or repairing signs on the DPT property at the following locations:

Graffiti

- *"STOP SIGN" at Southwest corner of Laguna and Hickory*
- *"STOP SIGN" at Northwest corner of Pierce and Fulton*
- *"STOP SIGN" at Southeast corner of Cole and Parnassus*
- *Speed limit sign on Lincoln between 12th Avenue and 13th Avenue.*
- *"No Pedestrian Crossing" sign at the 1720 Market*
- *"No Pedestrian Crossing" sign at the northwest corner of Fell and Gough*
- *MUNI sign and Pole at Traffic light poles at the diamond median at the north end of the intersection of Gough and Market.*

Repair

- *"STOP SIGN" at exit of parking lot between Irving and Judah and 8th*

Avenue and 9th Avenue.

MUNI Signs and Poles

- *Northeast corner of Haight and Clayton*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of planting trees near:

- *1445 Oak Street*
- *Middle of the south side of the 1400 block of Haight Street*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:

Emergency Boxes:

- *Northeast corner Haight and Lyon*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti at the following property locations:

- *97 Central*
- *1200 15th Avenue*
- *1127-1129 Lincoln*
- *401 Judah*
- *783 Haight*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:

Mailboxes

- *Southeast corner of Lincoln and 16th Avenue*
- *Southeast corner of Lincoln and 10th Avenue*
- *Northeast corner of Carl and Cole*
- *Northwest corner of 8th Avenue and Irving*
- *Northwest corner of 15th Avenue and Irving*
- *Northwest corner of 17th Avenue and Irving*

- *Southeast corner of 16th Avenue and Lincoln*
- *Northeast corner of 11th Avenue and Judah*
- *Northeast corner of Funston and Judah*
- *Northeast corner of Laguna and McAllister*
- *Northeast corner of Golden Gate and Pierce*

Garbage Cans

- *Southeast corner of Buena Vista East and Haight*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from news stands at the following locations:

Chronicle

- *Southeast corner 9th Avenue and Lincoln*
- *1416 Haight Street*
- *Northwest corner of Fell and Gough*
- *Southwest corner of Stanyan and Carl*
- *Northwest corner of 16th Avenue and Irving*

Examiner

- *Northwest corner of 16th Avenue and Irving*
- *Southeast corner of Ashbury and Hayes*
- *Southeast corner of Haight and Ashbury*

SF Weekly

- *Northeast corner of Haight and Scott*
- *Northeast corner of Haight and Ashbury*

Common Ground

- *Northeast corner of Haight and Ashbury*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing the graffiti from phone switch boxes at the following locations:

Phone Switch Box

- *Northwest corner of Judah and 12th Avenue*

Light Switch Box

- *Southeast corner of 5th Avenue and Lincoln*

- *Northwest corner of Golden Gate and Pierce*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removing graffiti from the public property located at the following locations:

Phone Booths

- *SBC booth at the Northwest corner of 8th Avenue and Irving*

From: Supervisor Mirkarimi
To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting that the Public Utilities Commission report on the status of cleaning the drains at the:

- *Southeast corner drain of Haight and Ashbury*
- *Southwest corner drain of Haight and Masonic*

In Memoriams

Gwennyth Trice - Supervisor Sandoval

Phil Frank - Entire Board

Christy Ann Marie Maguire - Supervisors Jew and Elsbernd

Ginny Poon Yamate - Supervisor Ammiano

Judge John A. Ertola - Entire Board

Liz Gore - Supervisor Dufty

Dorothy Campbell - Supervisor Daly

William Davoren - Supervisor Peskin

William J. Cooke - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:56 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of

Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 16, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

City and County of San Francisco
Board of Supervisors

September 25, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, September 25, 2007
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval, Carmen Chu.*
Members Excused:	*Jake McGoldrick.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisor McGoldrick was noted absent.

There was a quorum.

Supervisor McGoldrick was excused from attending today's meeting.

Supervisor McGoldrick Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

COMMUNICATIONS

Angela Calvillo, The Clerk of the Board, informed the Board members that she was in receipt of correspondence from Mayor Gavin Newsom, and pursuant to Charter Section 15.105 he had suspended Edmund Jew from Office of the Supervisor for District Four and had appointed Carmen Chu as Supervisor for District Four.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

071085 [Appropriating $5,647,000 for increased costs at San Francisco General and Laguna Honda Hospitals in the Department of Public Health retroactive to Fiscal Year 2006-2007] Mayor

Ordinance appropriating $5,647,000, including $4,591,000 of Patient Revenue to support increased overtime, fringes and services of other departments at San Francisco General Hospital and $1,056,000 of MediCal revenues at Laguna Honda hospital to support salary and fringes at Laguna Honda Hospital for the Department of Public Health retroactive to Fiscal Year 2006-2007.

(Fiscal Impact.)

Enacted Number: 227-07

FINALLY PASSED

071165 [Setting San Francisco's fiscal year 2007-2008 property tax rate and establishing pass-through rate for residential tenants] **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2008.

Enacted Number: 220-07

FINALLY PASSED

071166 [Setting San Francisco Community College District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate] **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2008.

Enacted Number: 221-07

FINALLY PASSED

071167 [Setting San Francisco Unified School District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate] **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2008.

Enacted Number: 222-07

FINALLY PASSED

071168 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2007-2008 property tax rate to be included in the City's overall property tax rate] **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2008.

Enacted Number: 223-07

FINALLY PASSED

071193 [Minimum Compensation Ordinance] **Supervisors Ammiano, Peskin, McGoldrick**

Ordinance amending the San Francisco Administrative Code by adding Section 12P.5.1 to amend the Minimum Compensation Ordinance by imposing additional contract requirements on City contractors, including

Airport property contractors.

Enacted Number: 226-07

FINALLY PASSED

Recommendation of the City Operations and Neighborhood Services Committee

071227 **[Accept-Expend Federal Grant - Department of Public Works]** **Supervisor Elsbernd**

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $482,040 from the California Department of Transportation to upgrade guardrails at Twin Peaks Boulevard; O'Shaughnessy Boulevard at Del Valle Avenue; Portola Drive north of Burnett Avenue and west of Burnett Avenue.

Enacted Number: 529-07

ADOPTED

Recommendations of the Land Use and Economic Development Committee

071005 **[No Parking Anytime - Establish]** **Supervisor Jew**

Resolution establishing NO PARKING ANYTIME on Lincoln Way, south side, from 45th Avenue to 40 feet westerly.

(No Economic Impact)

Enacted Number: 539-07

ADOPTED

071088 **[Parking Regulations]** **Supervisor McGoldrick**

Resolution enacting and rescinding parking regulations at various locations

PARKING METER AREA 3 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Clement Street, on metered blocks and adjacent north-south metered streets, between Arguello Boulevard and 25th Avenue (changes existing one hour meters to two hour time limit)

Enacted Number: 528-07

ADOPTED

Recommendations of the Rules Committee

071237 [Settlement of Lawsuit - Pacific Bell Telephone Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for $94,000.00; the lawsuit was filed on October 25, 2006 in San Francisco County Superior Court, Case No. 457-327; entitled Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

071238 [Settlement of Lawsuit - Jane Martin, et al. (Order Sons of Italy) v. CCSF]

Ordinance authorizing settlement of the portion of the lawsuit filed by Order Sons of Italy in America Grand Lodge of the Golden West Corporation against the City and County of San Francisco for $75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

071246 [Settlement of Lawsuit - Theodore Tarver, Jr. (Kathryn Cox) v. CCSF]

Ordinance authorizing settlement of an award of attorney's fees to attorney Kathryn Cox for $162,941 against the City and County of San Francisco; the underlying lawsuit was filed on July 19, 2002 in San Francisco Superior Court, Case No. 410499 entitled Theodore Tarver, Jr. v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

071252 [Settlement of City's Lawsuit Against Aquila, Inc. and Aquila Merchant Services, Inc.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides $1,500,000 from defendants Aquila, Inc. and Aquila Merchant Services, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants. (City Attorney)

PASSED, ON FIRST READING

071253 [Settlement of City's Lawsuit Against Enserco Energy, Inc.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides $750,000 from defendant Enserco Energy, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants. (City Attorney)

PASSED, ON FIRST READING

071256 [Settlement of City Claim Against PG&E]

Ordinance approving the settlement of a claim asserted by the City and County of San Francisco against Pacific Gas & Electric Company in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM. (City Attorney)

PASSED, ON FIRST READING

071163 [Settlement of Unlitigated Claim - Wells Fargo]

Resolution approving the settlement of the unlitigated claim filed by Wells Fargo against San Francisco for $43,678; claim was filed on May 23, 2007. (City Attorney)

Enacted Number: 538-07

ADOPTED

071271 [Appointment - Sweatfree Procurement Advisory Group]

Resolution appointing Christian Martinez, term ending December 17, 2007, to the Sweatfree Procurement Advisory Group.

Christian Martinez, succeeding Laura Juran, resigned, seat 4, must be a member of the public, for the unexpired portion of a two-year term ending December 17, 2007.

Enacted Number: 535-07

ADOPTED

071272 [Appointment - Urban Forestry Council]

Resolution appointing J. Malcolm Hillan, term ending April 5, 2009, to the Urban Forestry Council.

J. Malcolm Hillan, succeeding Larry Costello, term expired, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for the unexpired portion of a two-year term ending April 5, 2009.

Enacted Number: 536-07

ADOPTED

071273 [Appointment - Child Care Planning and Advisory Council]

Resolution appointing Sheila Norman, term ending December 31, 2008, to the Child Care Planning and Advisory Council.

Sheila Norman, succeeding herself, term expired, seat 11, must be a nominee of District 11 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending December 31, 2008.

Enacted Number: 537-07

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

070667 [Medical Cannabis Dispensary Permits] **Supervisor Alioto-Pier**

Ordinance amending Sections 3301, 3304, 3305, 3307, and 3308 of the San Francisco Health Code and Sections 209.3, 217, 790.141 and 890.133 of the San Francisco Planning Code to (a) require the Director of Public Health to certify that applicants for Medical Cannabis Dispensary permits have not been convicted of certain felony offenses, (b) require Dispensaries to provide security measures, including lighting and alarms, (c) establish minimum disability access standards; (d) extend the time period for Dispensaries to obtain a Medical Cannabis Dispensary permit to March 1, 2008; (e) authorize the sale and delivery of medical cannabis to qualified patients with a verifiable, written recommendation from a physician for medical cannabis; (f) clarify the definition of "medical cannabis dispensary; and (g) adopting General Plan, Planning Code Section 101.1(b) and environmental findings."

Supervisor Alioto-Pier requested to divide the question to include language relating to "any ground floor service area must be" and to add after "accessible" the language "service areas."

On the question to include the language relating to "any ground floor service area must be" and to add after "accessible" the language "service areas."

Divided question passed by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Excused: 1- McGoldrick

Enacted Number: 225-07

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Noes: 1 - Elsbernd
Excused: 1 - McGoldrick

071349 [Adopting findings related to the conditional use appeal on property located at 4041 Geary Boulevard]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2007.0286C, subject to certain conditions, to allow the establishment of a Formula Retail Use (dba Starbucks, retail coffee store), with approximately 750 square feet in floor area in a vacant commercial space located in a recently approved auto service and repair shop (dba "Service Center for San Francisco Toyota"), a one-story commercial building. The project site is located in an NC-3 (Moderate Scale) Neighborhood Commercial District and a 40-X Height and Bulk District on property located at 4041 Geary Boulevard, Lot 050 on Assessor's Block 1540.

Enacted Number: M07-123

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

Recommendation of the Government Audit and Oversight Committee

070680 [Administrative Penalties and Fees for Fare Evasion or Passenger Misconduct Offenses] **Supervisor Peskin**

Ordinance amending San Francisco Traffic Code Sections 127, 128, 128.1, 128.1-A, 128.2, and 128.3 to clarify the definition of "Proof of Payment" and impose administrative penalties and fees for certain types of fare evasion or passenger misconduct offenses instead of criminal penalties for offenders over the age of eighteen where authorized by state law, and authorizing the Municipal Transportation Agency's Board of Directors to set the specific penalty and fee amounts.

Enacted Number: 224-07

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Budget and Finance Committee

070833 [2008 Finance Corporation Equipment Program] Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 15 (Series 2008A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $13,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

(Fiscal Impact.)

Enacted Number: 527-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

071245 [Authorizing the Office of Contract Administration to amend its contract with En Pointe to exceed $31 million and its contract with Xtech to exceed $37 million]

Resolution authorizing the Office of Contract Administration to enter into the Sixth Amendment between the City and En Pointe (part of the Computer Store procurement vehicles), to increase the contract amount to $35 million, and to enter into the Eighth Amendment between the City and Xtech (also part of the Computer Store procurement vehicle), to increase the contract amount to $51 million. (Office of Contract Administration)

(Fiscal Impact.)

Enacted Number: 521-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

071255 [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year 2006-2007 and thereafter]

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703 for fiscal year ending June 30, 2007 and thereafter. (Controller)

Enacted Number: 540-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

From the Budget and Finance Committee Without Recommendation

071231 [Lease of Real Property at 1390 Market Street] Mayor

Resolution authorizing the lease of 6,029 square feet of space in the building located at 1390 Market Street for the Office of Labor Standards Enforcement.

(Fiscal Impact.)

Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Peskin

Noes: 5 - Ammiano, Daly, Maxwell, Mirkarimi, Sandoval

Excused: - McGoldrick

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to rescind the previous vote and to continue this matter to October 16, 2007.

CONTINUED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Noes: 1 - Daly
Excused: 1 - McGoldrick

Recommendation of the City Operations and Neighborhood Services Committee

071162 [Liquor License - 690 Market Street]

Resolution determining that the issuance of a Type 57 Special On-Sale General liquor license to Michael J. Brewer for RC Social Club of San Francisco, Inc. located at 690 Market Street (District 6) will serve the public convenience and necessity of the people of the City and County of San

Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Enacted Number: 526-07

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Chu
Noes: 3 - Alioto-Pier, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

071149 [Planning Code-Amending Article 11 Designation of 225-227 Front Street] Supervisor Peskin

Ordinance amending the designation of 225-227 Front Street (Assessor's Block 0237, Lot 005) from Category V (Unrated) to Category IV (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

Supervisor Peskin requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

071111 [Parking Regulations]

Resolution enacting parking regulations on Clementina Street.

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 9 AM TO 6 PM, EVERYDAY) - ESTABLISH
Clementina Street, both sides, between 1st and 2nd Streets (unit block, includes addresses on both sides for permits, but signs will only be installed on the south side); and,
246 Second Street (no signs will be installed on 2nd Street, but residents will be eligible for Area "Y" permits). (Parking and Traffic Department)

(6/28/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3375). (No Economic Impact)

Enacted Number: 525-07

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Chu
Noes: 3 - Alioto-Pier, Peskin, Sandoval
Excused: 1 - McGoldrick

Called From the Government Audit and Oversight Committee

070931	**[Seeking a permanent halt to the Blue Angels air show over San Francisco]**	**Supervisors Daly, Mirkarimi, Sandoval, Ammiano**

Resolution seeking a permanent halt to the annual Blue Angels air show over the City of San Francisco.

(No Economic Impact) (Supervisor Daly dissented in Committee)

NOT ADOPTED by the following vote:

Ayes: 3 - Ammiano, Daly, Mirkarimi
Noes: 7 - Alioto-Pier, Dufty, Elsbernd, Maxwell, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

Recess

The Board recessed at the hour of 2:58 p.m.

Reconvening of the Board

The Board reconvened at the hour of 3:35 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval - 10

Supervisor McGoldrick was previously excused from attending today's meeting.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to the owners of Tommy's Joint in celebration of their 60th Year of being business in San Francisco.

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Jim Rivaldo.

Supervisor Alioto-Pier introduced, welcomed and presented a Certificate of

Honor to Brad Gross, Harbor Master, SF Yacht Harbor, in recognition of his dedication to the SF Yacht Harbor.

SPECIAL ORDER 4:00 P.M.

071037 [Appeal of Determination of Exemption from Environmental Review for project at Wawona Street and 15th Avenue (aka "445 Wawona Street)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 12, 2007, Case No. 2006.0608E, exempting from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The project would construct eight 3,760 square-foot, three-story, 3 bedroom, 35-feet high detached residential units with below-grade parking on eight vacant lots created out of a portion of the Ardenwood residential care facility property at 445 Wawona Street. The project site is located at the intersection of Wawona Street and 15th Avenue on the block bounded by 19th Avenue and Sloat Boulevard in the West Portal Neighborhood (Assessor's Block 2540, Lots 93-100). The project site was subdivided from the 532,738 square-foot (12.23-acre) Ardenwood property (Assessor's Block 2540, Lot 8) in 2006, creating nine new lots. No changes are proposed for the Ardenwood residential care facility. The project site is currently vacant open space with the exception of a greenhouse/storage structure, which would be demolished as part of the project. The project site is located within the RH-1(D) (One-Family, Detached Dwellings) zoning district and a 40-X height and bulk district. (Appellants: Matthew and Claudia Chamberlain and Susan Hewitt filed July 6, 2007)

(Filed July 6, 2007; companion measure to 071038, 071039, 071040; District 7.)

The President inquired as to whether any member of the public wished to address the Board.

Matt Chamberlain; Appellant

Female speaker; support of the appellant

S. Plank; support of the appellant

Claudia Chamberlain; support of the appellant

Marina Hardeman; support of the appellant

Silvia Johnson; support of the appellant

Patricia Shanahan; support of the appellant

Burt Hill; support of the appellant Nannie Turrell, Planning Department representative, reviewed with the Board the Planning Department's recommendation. Mr. and Mrs. Mark Nelson; Project Sponsors

Frank Haybird; support of the project sponsor

Dan Phipps; support of the project sponsor

Guy Bristol; support of the project sponsor

Martin Lavin; support of the project sponsor

Howard Drexler; support of the project sponsor

Rebuttal Period: Matt Chamberlain, Appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

071038 [Affirming the categorical exemption issued for 445 Wawona Street]

Motion affirming the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

071039 [Disapproving the categorical exemption issued for 445 Wawona Street]

Motion disapproving the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M07-124

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

071040 [Preparation of findings related to the 445

Wawona Street project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 445 Wawona Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M07-113

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Excused: 1 - McGoldrick

SPECIAL ORDER 4:00 P.M.

071070 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 317 Cortland Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 21, 2007, Case No. 2006.0056E, exempting from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Sections 15301(l)(4) and Categorical Exemption Class 3 (State CEQA Guidelines Sections 15303(b) and 15303(c). The project would demolish the existing two-car parking structure and construct a 35-foot-tall, 3,820-square foot, three-story mixed-use building with two dwelling units over approximately 1,590-square-feet of commercial space open to Cortland Avenue and with the 130-square foot walk-up access to the residential floors above. The two dwelling units would each be about 1,115 square feet. Each unit would have access to private usable open space on either a rear deck, balcony or a courtyard. The subject property (Assessor Block 5667, Lot 014) is within an NC-2 (Small Scale Neighborhood Commercial) Use District and a 40-X Height and Bulk District. (Appellants: Gordon Thrupp, Robin Mackey, Suzanne Landucci, Donna Roberts, Caroline Peel and Bloum Cardenas.)

(Filed July 18, 2007; companion measure to 071071, 071072, 071073; District 9.)

The President inquired as to whether any member of the public wished to address the Board.

Gordon Thrupp; Appellant

Judy Ashlin; support of the appellant

Silvia Johnson; support of the appellant

Margaret Thrupp; support of the appellant

Lisa Gibson, Planning Department representative, and Dr. Rajiv Bhatia, Director of Environmental Health Department, reviewed with the Board the Planning Department's recommendation.

Attorney for the project sponsor

Rebuttal Period: Gordon Thrupp, Appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

Supervisor Dufty was noted absent at 5:50 p.m.

071071 [Affirming the categorical exemption issued for the 317 Cortland Street Project]

Motion affirming the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M07-120

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Noes: 1 - Daly
Absent: 1 - Dufty
Excused: 1 - McGoldrick

071072 [Disapproving the categorical exemption issued for the 317 Cortland Street Project]

Motion disapproving the determination by the Planning Department that the 317 Cortland Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Noes: 1 - Daly
Absent: 1 - Dufty
Excused: 1 - McGoldrick

071073 [Preparation of findings related to the 317 Cortland Street Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at

317 Cortland Street is exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M07-119

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Noes: 1 - Daly
Absent: 1 - Dufty
Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

Supervisor Dufty was noted absent at 2:40 p.m

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues related to the Iraq War

Female speaker; expressed concern with issues related to the Ingleside Library and traffic in District 11

Female speaker; expressed concern with issues relating to the Mayor's assets which he sold when he became Mayor

Eugene Gordon, Jr.; expressed concern with issues related to the violation of human rights

John Di Donna; expressed concern with issues relating to human conditions

James Chaffee; expressed concern with issues relating to the SF Public Library

Alice Host; expressed concern with issues related to the appointment of an interim Supervisor of District 4

Rodney; expressed concern with issues relating to Muni fare cheaters, smoking ordinance implementation

Richard Magreed; expressed concern with issues relating to the design of the Sigmund Stern Grove and his patent for design

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

071348 [Legislative Analyst Request - School Districts and City and County governments] **Supervisor Dufty**

Motion requesting the Office of the Legislative Analyst to prepare a report on best practices by School Districts and City and County governments on maximizing the ability of children and their families to qualify for benefits, such as health care (Medi-Cal), food stamps and school nutrition programs, among others. The Legislative Analyst is requested to work with the Department of Human Services Office of Policy and Planning in the preparation of this report.

APPROVED by **the following vote:**

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Absent: 1 - **Dufty**
Excused: 1 - McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

071352 [Supporting Private Security Officers Week of Action] **Supervisor Daly**

Resolution supporting the private security officers and their union SEIU 24-7's week of action to win improved training for personal advancement, a living wage and full family health benefits on par with janitors and other workers in San Francisco's commercial real estate sector; and encouraging the City's wealthiest property owners and the security company contractors such as ABM and Securitas to end the double standard facing security officers who struggle to make ends meet based on the low wages and often unaffordable healthcare premiums.

Enacted Number: 542-07

ADOPTED

071353 **[Approval of a 45-day extension for Planning Commission review]** Supervisor Daly

Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 315.4 and the addition of 315.6A that would allow project sponsors the option of paying the inclusionary housing in-lieu fee to a qualifying nonprofit entity to acquire and rehabilitate units as permanently affordable rental housing if the number of resulting units will be 25% higher than the amount provided under the existing off-site alternative.

Enacted Number: 530-07

ADOPTED

071355 **[Approval of a 30 day extension for Planning Commission review]** Supervisor Peskin

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Planning Code Sections 121.2 to move the Polk Street Neighborhood Commercial District from a 3,000 square foot use size limit to a 2,000 square foot size limit, and amend Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 531-07

ADOPTED

071354 **[Daniel Pearl Day - October 10, 2007]** Supervisors Peskin, Dufty

Resolution declaring October 10, Daniel Pearl World Music Day in San Francisco.

Enacted Number: 541-07

ADOPTED

071356 **[Supporting City of Oakland to fight lawsuit against Plastic Bag Ban]** Supervisor Mirkarimi

Resolution supporting the City of Oakland in fighting a lawsuit that has been brought against Oakland's recently passed ban on non-compostable check out plastic bags at large retail stores and urging the City of Oakland to fight the industry suit and not to conduct a full environmental impact report that could set a precedent for other local government efforts to protect the environment.

Enacted 532-07

Number:

ADOPTED

071357 [Declaring October 2 International Day of Nonviolence and Spinning Wheel Birthday] **Supervisor Mirkarimi**

Resolution declaring October 2 International Day of Non-violence and, in accordance with the wishes of Mohandas K. Gandhi commemorating his date of birth, October 2, as the Spinning Wheel Birthday.

Enacted Number: 534-07

ADOPTED

071359 [SF Climate Challenge] **Supervisor Alioto-Pier**

Resolution to support public participation in the SF Climate Challenge and to name October 25, 2007 SF Climate Challenge Day, with the goal of reducing energy use in City residences, thereby reducing the emission of greenhouse gases which cause global warming.

Enacted Number: 533-07

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Absent: 1 - Dufty
Excused: 1 - McGoldrick

071314 [Final Map - 2917-2919 24th Street]

Motion approving Final Map 4185, a 5 Unit Residential and 1 Unit Commercial Mixed-Use Condominium Project, located at 2917-2919 24th Street being a subdivision of Lot 015 in Assessors Block No. 4269 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 177,127; District 9.)

Enacted Number: M07-117

APPROVED

071315 [Final Map - 1158 Sutter Street]

Motion approving Final Map 4078, a 15 Unit Mixed-Use Condominium Project, located at 1158 Sutter Street being a subdivision of Lot 010 in Assessors Block No. 0669 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1, (Public Works Department)

(DPW Order No. 177,091; District 3)

Enacted Number: M07-118

APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval, Chu
Absent: 1 - Dufty
Excused: 1 - McGoldrick

Severed from the Without Reference to Committee Agenda

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

071358 **[Requesting Police Department to end vehicle impounding]** Supervisor Sandoval

Resolution urging the San Francisco Police Department to temporarily cease the impoundment of vehicles for lack of a California Driver's License, pending City Attorney review of current law.

Supervisor Sandoval requested that this matter be referred to Committee.

REFERRED to the City Operations and Neighborhood Services Committee

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071367 **[Providing staff assistance to the Community Oversight Committee that advises the Board regarding the Policy Making Marijuana Offenses the Lowest Law Enforcement Priority]** Supervisor Ammiano

Ordinance amending the San Francisco Administrative Code by amending Section 12X.6, to require the City Administrator to provide staff assistance to the Community Oversight Committee established under Administrative Code Chapter 12X, Policy Making Marijuana Offenses the Lowest Law Enforcement Priority.

9/25/07, RECEIVED AND ASSIGNED to Rules Committee.

071369 **[Sweatfree Contracting Ordinance Amendments]** Supervisor Ammiano

Ordinance amending Sections 12U.2, 12U.3, and 12U.9 of the Administrative Code, and adding Section 12U.9.5, to (1) provide a system for awarding contracts to a bidder or proposer most substantially in compliance, but not in full compliance, with the Sweatfree Contracting Ordinance, when no bids or proposals are in full compliance; and (2) make other changes in the Sweatfree Contracting Ordinance, including revising and simplifying the monetary threshold triggering coverage of certain subcontracts; relaxing the ban on mandatory overtime; referencing retirement benefits in calculation of wages; and relaxing the requirement for contractors' providing information as to amounts to be paid to subcontractors by providing that amounts be reported within a monetary range rather than as an exact dollar figure.

9/25/07, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests this item be referred to Rules Committee. (Referred to Small Business Commission)

071370 [Parking Regulations - Marina Green] Supervisor Alioto-Pier

Ordinance (1) amending the San Francisco Park Code to add sections 6.01.02 through 6.01.07 establishing time limits at the Marina Green off-street parking lots, exemptions, and related parking regulations, (2) making findings and imposing reporting requirements on the Recreation and Park Department, and (3) making findings required by the California Environmental Quality Act.

9/25/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071371 [Increasing the gate fee that may be charged by "full-service" taxicab companies from $91.50 to $110, establishing an expiration date, and making the increase retroactive to January 1, 2003] Supervisor Alioto-Pier

Draft Ordinance amending the San Francisco Police Code by adding Section 1137.1, to: increase the gate fee that may be charged by "full-service" taxicab companies, as defined in the ordinance, from $91.50, as authorized by Board Resolution No. 605-06, to $110; establish an expiration date; and, make the increase retroactive to January 1, 2003.

Economic Impact

9/25/07, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 10/26/2007.

071375 [Public Employment - Department of Children Youth and their Families] Supervisor Peskin

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of an 1823 Senior Administrative Analyst and the deletion of an 1822 Administrative Analyst in the Department of Children Youth and their Families.

9/25/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

071358 [Requesting Police Department to end vehicle impounding] Supervisor Sandoval

Resolution urging the San Francisco Police Department to temporarily cease the impoundment of vehicles for lack of a California Driver's License, pending City Attorney review of current law.

9/18/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/25/07, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Sandoval requested that this matter be referred to Committee.

071368 [Changing the name of Rowland Street on Broadway in North Beach to Dirk Dirksen Alley] **Supervisor Ammiano**

Resolution changing the name of Roland Street on Broadway in North Beach to "Dirk Dirksen Alley," in recognition of Dirk Dirksen, who is one of the most important figures in the musical and cultural history of San Francisco.

9/25/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071372 [STOP Intersections] **Supervisor Alioto-Pier**

Resolution rescinding certain intersection STOP sign controls.

STOP SIGNS - RESCIND
Vallejo Street at Baker Street, stopping eastbound and westbound Vallejo Street at Baker Street.

9/25/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071373 [HOPE SF Criteria and Procedures] **Supervisor Maxwell**

Resolution approving criteria and procedures for allocating and expending HOPE SF Funds and authorizing expenditure of HOPE SF Funds consistent with the approved criteria and procedures.

9/25/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071374 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)] **Supervisor Maxwell**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $200,000 from the Department of Justice (DOJ), Office of Justice Programs (OJP), FY2007 Weed and Seed Program for the purpose of supporting activities to prevent, control and reduce violent crime, drug abuse, and gang activity in the designated Weed and Seed area in the Visitacion Valley neighborhood.

9/25/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071376 [Initiate the Designation of 690 Market, the Chronicle Building, as a Landmark] **Supervisor Peskin**

Resolution initiating the designation of 690 Market, the Chronicle Building, Lot 6 in Assessor's Block 311, as a landmark pursuant to Section 1004.1 of the Planning Code and urging expedited consideration of the building's landmark status and a Mills Act contract associated with the building's rehabilitation and restoration.

9/25/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071380 [Approval of a six month extension for Planning Commission review of the Laguna, Haight, Buchanan and Hermann Streets Special Use District Ordinance and Zoning Map Amendments] **Supervisor Ammiano**

Resolution extending by 6 months the prescribed time within which the Planning Commission may render its decision on two proposed Ordinances that would create the Laguna, Haight, Buchanan and Hermann Streets Special Use District and amend Section Maps 7, 7H and 7SU of the Zoning

Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

9/25/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071381 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice] **Supervisor Alioto-Pier**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $400,000 from the Department of Justice (DOJ), Office of Violence Against Women (OVW), FY2007 Safe Havens: Supervised Visitation and Safe Exchange Program for the purpose of supporting supervised visitation and safe exchange options for families with a history violence or abuse.

9/25/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071382 [Approval of a 90 day extension for Planning Commission review in order to complete an addendum to an associated environmental impact report] **Supervisor Mirkarimi**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

9/25/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071383 [Local support for Divisadero Streetscape Project] **Supervisor Mirkarimi**

Resolution authorizing local support for the Divisadero Streetscape Project, designating DPW as the eligible sponsor for funding related to this project, and taking other official acts in furtherance of this project.

9/25/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071015 [Rescind One Hour Meters and Establish Two Hour Meters on 1900 Polk Street] **Supervisor Peskin**

Resolution rescinding one hour meters and establishing two hour meters on the 1900 Block of Polk Street.

PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 1-

HOUR PARKING - RESCIND
PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR PARKING - ESTABLISH

1900 block of Polk Street, both sides, between Jackson and Pacific Streets.

(No Economic Impact)

7/10/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/19/07, REFERRED TO DEPARTMENT. Referred to Parking and Traffic for environmental review.

8/20/07, RESPONSE RECEIVED. DPT, categorically exempt from environmental review.

9/25/07, ASSIGNED to Land Use and Economic Development Committee.

9/25/07, SUBSTITUTED. Supervisor Peskin submitted a substitute resolution bearing new title.

071332 **[Interim Zoning - conditional use authorization in the Eastern Neighborhoods Area Plans]** Supervisor Ammiano

Resolution imposing interim zoning controls to require conditional use authorization for all uses in the Eastern Neighborhoods, including the submission of various reports, for an eighteen (18) month period and making environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

Economic Impact

9/18/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/24/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

9/25/07, SUBSTITUTED. Supervisor Ammiano submitted a substitute resolution bearing the same title.

9/25/07, RESPONSE RECEIVED. Planning Department non physical CEQA exemption.

9/25/07, ASSIGNED to Land Use and Economic Development Committee.

Request for Hearing

071366 [Parking garages] Supervisor Peskin

Hearing to examine the policy merits of interceptor parking garages near commute corridors; the future of parking supporting AT&T Park; and the current capacity and projected need for retail parking.

9/25/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Motions

071377 [Amendment to Budget Analyst contract to exercise two year option] Supervisor Peskin

Motion approving exercising the final option set forth in the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Associates LLC; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to extend the term of the Agreement from January 1, 2008 through December 31, 2009.

(Fiscal Impact.)

9/25/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071378 [Request for Proposals process for Budget Analyst services] **Supervisor Peskin**

Motion directing the Clerk of the Board to initiate a Request for Proposals process for Budget Analyst services.

9/25/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED ORDINANCES

071326 [Public Employment - Department of Public Health]

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 34.95 positions in the Department of Public Health pursuant to Ordinance 162-07 (Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Local 790 Staff and Per Diem Nurses) and Ordinance 164-07 (Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers Local 856 Supervising Registered Nurses Unit 11.B) using funding from the Salaries and Benefits Reserve as appropriated in Ordinance 174-07 (Consolidated Budget and Annual Appropriation Ordinance for Fiscal Year Ending June 30, 2008). (Human Resources Department)

(Fiscal Impact.)

9/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071329 [Amending and Repealing Cash Revolving Funds and Cash Revolving Accounts]

Ordinance amending and repealing various sections of Article XV, Part I of the San Francisco Municipal Code (Administrative Code), which established cash revolving funds and cash revolving accounts for the City and County of San Francisco departments. (Controller)

9/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

071323 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

20th Avenue and Moraga Street, stopping 20th Avenue, making this intersection an All-Way STOP;

Pacheco Street at 41st Avenue, stopping the stem of this currently uncontrolled T-intersection;

Both ends of Dormitory Road at Northridge Road/Jerrold Avenue and at Kiska Road/Kirkwood Avenue, stopping the stem of these currently uncontrolled T-intersections. (Parking and Traffic Department)

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

9/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071324 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN, 7 AM TO 7 PM, EVERYDAY EXCEPT BUSES AND TAXIS - ESTABLISH
5th Street, southbound, at Mission Street.

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

9/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071325 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
1550 - 1562 22nd Street (includes these addresses to be eligible for Area "X" permits, but no signs will be posted on the street).

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Ivy Street, both sides, between Buchanan and Webster Streets (signs will only be posted on the north side because of NPAT on the south side), and; Webster Street, east side, between Ivy and Grove Streets.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Laurel Street, east side, between California Street and Mayfair Drive.

NO PARKING ANYTIME - RESCIND
Linden Street, north side, from 82 feet to 101 feet west of Gough Street.

COMPACT VEHICLES ONLY - ESTABLISH
Linden Street, north side, from 82 feet to 101 feet west of Gough Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Linden Street, south side, from 40 feet to 136 feet west of Gough Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Geary Boulevard, south side, Masonic Avenue frontage road to 70 feet westerly (removes parking meter #2703).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Page Street, south side, from Laguna Street to 20 feet easterly; and,
Laguna Street, east side, from Page Street to 21 feet southerly.

2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Gough Street, east side, from Geary Boulevard to Ellis Street.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Gough Street, west side, from Eddy Street to Golden Gate Avenue.

TOW-AWAY, NO PARKING, 1 AM TO 6 AM, DAILY - ESTABLISH
Clementina Street, south side, from Gallagher Lane to 5th Street,

TOW-AWAY, NO PARKING, MIDNIGHT TO 6 AM, DAILY ESTABLISH
Gallagher Lane, west side, from 20 feet north of Clementina Street to Tehama Street; and,
Gallagher Lane, east side, from Clementina Street to 20 feet south of Tehama Street.

4-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, EXCEPT SATURDAY AND SUNDAY - ESTABLISH
San Bruno Avenue, east side, between 15th and Alameda Streets; and,
15th Street, both sides, between San Bruno and Vermont Streets. (Parking and Traffic Department)

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

9/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071327 [Extending to September 30, 2008 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at

Resolution approving and authorizing the Treasure Island Development Authority to enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement from October 1, 2007 to September 30, 2008. (Treasure Island Development Authority)

(Fiscal Impact.)

9/12/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071361 [Approval of Exercise of Renewal Option of Lease of Real Property at One Market Plaza]

Resolution approving the exercise of a Six Month Renewal Option of a lease of 20,677 square feet of office, storage and datacenter space at One Market Plaza for the Department of Telecommunications and Information Services (DTIS). (Real Estate Department)

9/17/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the possibility of installing a "Slow Children Playing" sign at Rio Court and El Sereno Court located in Miraloma Park.

From: Supervisor Elsbernd

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to investigate the safety of the "right turn only" lane at Lake Merced and State Drive and whether this lane is necessary and safe.

From: Supervisor Daly

To: City Attorney

To: Director, Department of Public Works

Requesting/Inquiring: DPW presents cases to the City Attorney's office for enforcement of non-compliance by public and private property owners. The Board of Supervisors would like to know how the expenses related to the pursuit of these cases have been paid for in the past. More importantly, what are the expectations of both the City Attorney's Office and the Department of Public Works as to where the funds should come from in order to cover expenses related to the pursuit of all pending and future cases presented to the City Attorney's Office by DPW?

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting that the Public Utilities Commission report on the status of removing graffiti at the following locations:

Metal Poles

Divisadero between Golden Gate and McAllister (both sides of the street)

Northeast corner of Divisadero and Sutter

Fillmore Street between California and Pine (both sides of the street)

Southeast corner of Octavia and Bush

Northwest corner of Turk and Webster

Poles in the Geary Street median between Webster and Gough

Wooden Poles

Northwest corner of Pine and

In Memoriams

In Memoriams

Jack Davis - Supervisor Ammiano

John Owen Miller - Supervisor Alioto-Pier

Daniel Scannell - Supervisors Elsbernd and Peskin

Alvester Ellis - Supervisor Elsbernd

Mary Looney - Supervisors Elsbernd and Chu

ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:55 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 23, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative

Chamber.

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AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯： 必須在會議前最少四十八小時提出要求
請電： (415) 554-7703

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Board of Supervisors

October 2, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, October 2, 2007

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Carmen Chu, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved to approve Meeting Minutes for September 11, 2007. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

071178 **[Settlement of complaint by PG&E before the Federal Energy Regulatory Commission and approval of an Amended Interconnection Agreement with PG&E]** **Supervisor Peskin**

Ordinance authorizing settlement of proceedings before the Federal Energy Regulatory Commission in FERC Dockets No. ER05-1190-000, et al, initiated by Pacific Gas & Electric Company to terminate the 1987 Interconnection Agreement between the City and PG&E; and approving an Amended Interconnection Agreement between the City and PG&E which provides for continued delivery of electricity to City facilities, among other things.

PASSED ON FIRST READING

071230 **[Grant of Federal Funds - Municipal Transportation Agency]** **Supervisor Sandoval**

Resolution authorizing the Municipal Transportation Agency to accept and expend $1,690,546 of Lifeline Transportation Program (LTP) Funds for maintenance of the Municipal Railway's #108 Line between San Francisco and Treasure Island, expansion of MUNI's #29-Sunset Line service, and expansion of MUNI's Lifeline Fast Pass Distribution program, excluding Citywide indirect costs.

(Fiscal Impact.)

Enacted Number: 543-07

ADOPTED

071297 **[Grant funds to support comprehensive drug court** **Supervisor Dufty**

implementation]

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $287,177 from the California Department of Alcohol and Drug Programs (DADP) to plan and implement a dependency drug court that works across city departments; for the period of July 1, 2007 to December 31, 2007.

Enacted Number: 550-07

ADOPTED

Recommendation of the Land Use and Economic Development Committee

071149 [Planning Code-Amending Article 11 Designation of 225-227 Front Street] **Supervisor Peskin**

Ordinance amending the designation of 225-227 Front Street (Assessor's Block 0237, Lot 005) from Category V (Unrated) to Category IV (Contributory) under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

Enacted Number: 228-07

FINALLY PASSED

Recommendations of the Rules Committee

071237 [Settlement of Lawsuit - Pacific Bell Telephone Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Bell Telephone Company against the City and County of San Francisco for $94,000.00; the lawsuit was filed on October 25, 2006 in San Francisco County Superior Court, Case No. 457-327; entitled Pacific Bell Telephone Company v. City and County of San Francisco. (City Attorney)

Enacted Number: 229-07

FINALLY PASSED

071238 [Settlement of Lawsuit - Jane Martin, et al. (Order Sons of Italy) v. CCSF]

Ordinance authorizing settlement of the portion of the lawsuit filed by Order Sons of Italy in America Grand Lodge of the Golden West Corporation against the City and County of San Francisco for $75,000; the lawsuit was filed on January 31, 2005 in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 234-07

FINALLY PASSED

071246 [Settlement of Lawsuit - Theodore Tarver, Jr. (Kathryn Cox) v. CCSF]

Ordinance authorizing settlement of an award of attorney's fees to attorney Kathryn Cox for $162,941 against the City and County of San Francisco; the underlying lawsuit was filed on July 19, 2002 in San Francisco Superior Court, Case No. 410499 entitled Theodore Tarver, Jr. v. City and County of San Francisco. (City Attorney)

Enacted Number: 230-07

FINALLY PASSED

071252 [Settlement of City's Lawsuit Against Aquila, Inc. and Aquila Merchant Services, Inc.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides $1,500,000 from defendants Aquila, Inc. and Aquila Merchant Services, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants. (City Attorney)

Enacted Number: 231-07

FINALLY PASSED

071253 [Settlement of City's Lawsuit Against Enserco Energy, Inc.]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides $750,000 from defendant Enserco Energy, Inc. to the City and County of San Francisco and the other plaintiffs, which will be used to prosecute the cases against the remaining defendants. (City Attorney)

Enacted Number: 232-07

FINALLY PASSED

071256 [Settlement of City Claim Against PG&E]

Ordinance approving the settlement of a claim asserted by the City and County of San Francisco against Pacific Gas & Electric Company in the bankruptcy proceeding entitled In Re Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM. (City Attorney)

Enacted Number: 233-07

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

071379 **[Adopting findings related to the reversal of the approval of the mitigated negative declaration issued by the Planning Commission for 601 Duboce Avenue Project]**

Motion adopting findings related to the reversal of the approval of the mitigated negative declaration issued by the Planning Commission for the 601 Duboce Avenue Project.

Supervisor Dufty was previously excused from voting on this matter.

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

From the City Operations and Neighborhood Services Committee Without Recommendation

071258 **[Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]** **Supervisors McGoldrick, Maxwell, Mirkarimi**

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

Continued to October 16, 2007

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Budget and Finance Committee

071233 **[Penalty for Removing Chalk Marks]** **Supervisor McGoldrick**

Ordinance amending San Francisco Traffic Code Sections 21 and 132 to impose a penalty for removing chalk marks of one hundred ($100) dollars for any violation and to make minor changes to clarify the parking restriction. (Municipal Transportation Agency)

Supervisor McGoldrick requested to be added as a sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

071335 **[Board response to the 2006-2007 Civil Grand Jury Report entitled "Continuity Report - Have City Agencies Done What They Said They Would Do After the Civil Grand Jury of 2005-2006 Issued Its** **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Continuity Report - Have City Agencies Done What They Said They Would Do After the Civil Grand Jury of 2005-2006 Issued Its Reports?".

Enacted Number: 522-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071336 **[Board response to the 2006-2007 Civil Grand Jury Report entitled "The Entertainment Commission: A Work in Progress"]** **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "The Entertainment Commission: A Work in Progress".

Enacted Number: 523-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071337 **[Board response to the 2006-2007 Civil Grand Jury Report entitled "Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and** **Supervisor Elsbernd**

Resolution responding to the Presiding Judge of the Superior Court on the recommendations contained in the 2006-2007 Civil Grand Jury Report entitled "Preparing for a Disaster: Administrative Commitment and Appropriate Funding in the Department of Emergency Management and the Department of Public Health".

Enacted Number: 524-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

071181 [Eddie Fung Day - November 10, 2007] Supervisor Peskin

Resolution declaring November 10, 2007 as Eddie Fung Day in San Francisco.

Enacted Number: 544-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071185 [Condemning defamatory language used by radio personality Michael Savage against the immigrant community] Supervisors Sandoval, Ammiano

Resolution condemning defamatory language used by radio personality Michael Savage against the immigrant community.

Enacted Number: 551-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071312 [Confirmation of Human Resources Director] Mayor

Motion confirming appointment of Micki Callahan as Human Resources Director.

Enacted Number: M07-125

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 3:02 p.m.

Reconvening of the Board

The Board reconvened at the hour of 3:32 p.m.

Calling the Roll The following Supervisors were noted present: Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval - 11

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Maxwell welcomed, introduced, and presented a Certificate of Honor to James Dierke in recognition of his Principal Award.

Recess

The Board recessed at the hour of 3:38 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:01 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin - 8 Supervisors Daly, McGoldrick and Sandoval were noted absent at 4:01 p.m.

SPECIAL ORDER 4:00 P.M.

070910 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward

the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin
Absent: 3 - Daly, McGoldrick, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Continued to October 30, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin
Absent: 3 - Daly, McGoldrick, Sandoval

070912 **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**
Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)
Continued to October 30, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin
Absent: 3 - Daly, McGoldrick, Sandoval

070913 **[Preparation of findings related to the 3424 Jackson Street project]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the

determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to October 30, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin
Absent: 3 - Daly, McGoldrick, Sandoval

SPECIAL ORDER 4:00 P.M.

071265 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea)

(Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin
Absent: 3 - Daly, McGoldrick, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

071266 **[Affirming the categorical exemption issued for 2721 Pierce Street]**

Motion affirming the determination by the Planning Department that the 2721 Pierce Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to November 13, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin
Absent: 3 - Daly, McGoldrick, Sandoval

071267 **[Disapproving the categorical exemption issued for 2721 Pierce Street]**

Motion disapproving the determination by the Planning Department that the 2721 Pierce Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to November 13, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin
Absent: 3 - Daly, McGoldrick, Sandoval

071268 **[Preparation of findings related to the 2721 Pierce Street Project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2721 Pierce Street is exempt from environmental review under the California Environmental Quality Act.

Continued to November 13, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin
Absent: 3 - Daly, McGoldrick, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Male speaker; expressed concern with issues relating to politics in San Francisco and the loss of historical activities in San Francisco

Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human *rights*

John di Donna; expressed concern with issues relating to morality

Male speaker; expressed concern with issues relating to homeless shelters for the elderly

Evan Jacobs; expressed concern with issues relating to a possible strike by the nurses

Steven Worsley; expressed concern with issues relating to Coit Tower and concession rights

Grasshopper Adam Kaplan; expressed concern with issues relating to SF County Jail and opposing ID Immigration

Star Davies; expressed concern with issues relating to the homeless conditions

John; expressed concern with issues relating to renters rights and costs for renters

Richard Robinson; showed interest in transgender marriages

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.
Supervisor Sandoval was noted absent at 2:58 p.m.

071382 [Approval of a 90 day extension for Planning Commission review in order to complete an addendum to an associated environmental impact report] **Supervisor Mirkarimi**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 547-07

ADOPTED

071383 [Local support for Divisadero Streetscape Project] **Supervisor Mirkarimi**

Resolution authorizing local support for the Divisadero Streetscape Project, designating DPW as the eligible sponsor for funding related to this project, and taking other official acts in furtherance of this project.

Enacted Number: 548-07

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Severed from the Without Committee Reference Agenda

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

Supervisor Dufty Excused From Voting

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to excuse Supervisor Dufty, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

071380 [Approval of a six month extension for Planning Commission review of the Laguna, Haight, Buchanan and Hermann Streets Special Use District Ordinance and Zoning Map Amendments] **Supervisor Ammiano**

Resolution extending by 6 months the prescribed time within which the Planning Commission may render its decision on two proposed Ordinances that would create the Laguna, Haight, Buchanan and Hermann Streets Special Use District and amend Section Maps 7, 7H and 7SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Blocks 857 and portions of Assessor's Block 870, bounded by Laguna, Buchanan, Haight and Hermann Streets, from P (Public) to either NC-3 (Moderate-Scale Neighborhood Commercial District) or RM-3 (Residential, Mixed Districts, Medium Density) and mapping the Laguna, Haight, Buchanan and Hermann Streets Special Use District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 546-07

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Dufty

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the purely commendatory finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

071387 [Urging the Congress and the Congressional leadership to include gender identity in ENDA] **Supervisors Ammiano, Dufty, Mirkarimi**

Resolution urging the Congress and the Congressional leadership to include gender identity in the Employment Non-Discrimination Act (ENDA) legislation, currently pending in the House of Representatives.

Enacted Number: 549-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

Supervisor Sandoval was noted present at 3:01 p.m.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the purely commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071388 [Commending James S. Dierke] **Supervisors Maxwell, Elsbernd, McGoldrick, Ammiano, Dufty, Mirkarimi**

Resolution commending James S. Dierke as recipient of the MetLife/National Association of Secondary School Principal of the Year Award for providing high-quality learning opportunities for students as well as for his exemplary contribution to the Association of Secondary School Principal profession, and declaring October 2, 2007 "James S. Dierke Day" in San Francisco.

Enacted Number: 545-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

071387 [Urging the Congress and the Congressional leadership to include gender identity in ENDA] **Supervisors Ammiano, Dufty, Mirkarimi**

Resolution urging the Congress and the Congressional leadership to include gender identity in the Employment Non-Discrimination Act (ENDA) legislation, currently pending in the House of Representatives.

10/2/07, ADOPTED.

071388 [Commending James S. Dierke] **Supervisors Maxwell, Elsbernd, McGoldrick, Ammiano, Dufty, Mirkarimi**

Resolution commending James S. Dierke as recipient of the MetLife/National Association of Secondary School Principal of the Year Award for providing high-quality learning opportunities for students as well as for his exemplary contribution to the Association of Secondary School Principal profession, and declaring October 2, 2007 "James S. Dierke Day" in San Francisco.

10/2/07, ADOPTED.

071391 [Grant to fund child safety and occupant protection in San Francisco] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a grant for $387,557 from the California Office of Traffic Safety (OTS), which includes contracts with the San Francisco Study Center for $78,750 and O'Rorke, Inc. for $80,000; for the period of January 1, 2008 through September 30, 2009.
10/2/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071392 [State Grant to support the Pierce's Disease Control Program] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of $191,664.48 in support of the Pierce's Disease Control Program, for the period of July 1, 2007 through June 30, 2010.
10/2/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071393 [Urging Issuance of a Request for Proposals for an Open Source Voting System for the November 4, 2008 General Election] Supervisor Ammiano

Resolution endorsing the use of Open Source software in voting systems for the City and County of San Francisco and urging the Mayor to urge the Director of Elections to prepare and issue a Request for Proposals for an Open Source voting system for the November 4, 2008 General Election.
10/2/07, RECEIVED AND ASSIGNED to Rules Committee.

071394 [Urging restoration of two-way traffic on Ellis and Eddy Streets] Supervisor Daly

Resolution urging the Municipal Transportation Agency to restore two-way traffic on the length of Eddy and Ellis Streets, to consolidate the Muni 31 and 27 routes onto Eddy Street, and to develop detailed plans and a phased implementation strategy for transportation and streetscape improvements to these streets to enhance their role as east-west pedestrian, bicycle, and transit corridors.
10/2/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071395 [Multifamily Housing Revenue Bonds - Bishop Swing Community House] Supervisor Daly

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $18,942,066 for the purpose of providing financing for a multifamily rental housing project to be known as Bishop Swing Community House; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a construction loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.
10/2/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071400 [Retroactive Accept and Expend State Grant - Supervisor Mirkarimi

Department of the Environment]

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $206,125.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

10/2/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071401 [Support Goals for Federal Funding-Community Development Block Grant] **Supervisor Maxwell**

Resolution supporting Fiscal Year 2008-2009 Community Development Block Grant (CDBG) Action Plan Goals.

10/2/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071402 [Expend Federal Funding - Community Development Block Grant] **Supervisor Maxwell**

Resolution approving the expenditure of $137,728 of Community Development Block Grant funding.

10/2/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071404 [Urging issuance of a Request for Proposals for an Open Source Voting System for the November 4, 2008 General Election] **Supervisor Daly**

Resolution endorsing the use of Open Source software in voting systems for the City and County of San Francisco and urging the Mayor to urge the Director of Elections to prepare and issue a Request for Proposals for an Open Source voting system for the November 4, 2008 General Election.

10/2/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071405 [Landmark Designation nomination for Mary Ellen Pleasant Trees located at 1661 Octavia Street] **Supervisors Maxwell, Mirkarimi**

Resolution of intent initiating the nomination of the mature blue gum (Eucalyptus globulus) trees located at 1661 Octavia Street (Assessor's Block 647 lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

10/2/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071406 [Approval of a 90 day extension for Planning Commission review] **Supervisor Alioto-Pier**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

10/2/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071407 [Commending Virginia Harmon on her service to the City and County of San Francisco as the Executive Director of the Human Rights Commission] **Supervisors Dufty, Ammiano, Maxwell**

Resolution commending Virginia Harmon on her service to the City and County of San Francisco as the Executive Director of the Human Rights Commission.

10/2/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

071389 [City's IT practices] **Supervisor Ammiano**

Hearing on the across the board management audit to examine the City's IT practices.

10/2/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

071390 ["Matrix Style" police patrol] **Supervisor Daly**

Hearing on "Matrix Style" police patrol coordinated with social service outreach to homeless individuals in the South of Market commercial area.

10/2/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071408 [Mental and Behavioral Health Support for SFUSD Students] **Supervisor Dufty**

Hearing on collaborations between the San Francisco Unified School District (SFUSD) and San Francisco's Department of Public Health (DPH) to address the mental health and behavioral health needs of SFUSD students, as well as a report from the Stanford University Early Life Stress Research Program on its study of Post Traumatic Stress Disorder (PTSD) in San Francisco children and youth affected by urban violence.

10/2/07, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests that the item be referred to City and School District Select Committee.

Motions

071399 [Waiver permitting City Employees to assist the Department of Elections with the November 6, 2007 election] **Supervisor Peskin**

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2007 election.

10/2/07, RECEIVED AND ASSIGNED to Rules Committee.

071403 [Advertising for and Selection Process of Outside Counsel for the Board of Supervisors] **Supervisor Elsbernd**

Motion directing the Clerk of the Board of Supervisors to advertise for outside counsel to represent the Board of Supervisors on the matter of the official misconduct charges filed against Supervisor Edmund Jew, and setting forth the process of selecting said outside

counsel.
10/2/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071302 [Amending the Board's Rules to require a Supervisor request an item be heard at committee prior to calling it to be heard at the Full Board] **Supervisor Peskin**

Motion amending Rule 5.31 to the Board of Supervisors' Rules of Order, to require a Supervisor request a hearing at a Committee of the Board before calling an item to be heard before the full Board of Supervisors.

9/11/07, RECEIVED AND ASSIGNED to Rules Committee.

10/2/07, SUBSTITUTED. Supervisor Peskin submitted a substitute motion bearing the same title.

10/2/07, ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

071350 [Settlement of Lawsuit - Elfie Jansel]

Ordinance authorizing settlement of the lawsuit filed by Elfie Jansel against the City and County of San Francisco for $98,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. CGC06-452649; entitled Elfie Jansel v. City and County of San Francisco, et al. (City Attorney)

9/19/07, RECEIVED AND ASSIGNED to Rules Committee.

071351 [Settlement of Lawsuit - Marie Doe]

Ordinance authorizing settlement of the lawsuit filed by Marie Doe against the City and County of San Francisco for $35,000; the lawsuit was filed on November 18, 2004 in United States District Court, Case No. C04-4914 MJJ; entitled Marie Doe, et al. v. City and County of San Francisco, et al. (City Attorney)

9/19/07, RECEIVED AND ASSIGNED to Rules Committee.

071364 [Transit Shelter Advertising Agreement]

Ordinance approving Transit Shelter Advertising Agreement between the City and County of San Francisco and Clear Channel Outdoor Inc. (Municipal Transportation Agency)

9/24/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071281 [Procurement of Construction Management and General Contractor services for the new Public Utilities Commission administrative building at 525 Golden Gate]

Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to authorize an alternative competitive process based on experience, qualifications, and price. (Public Utilities Commission)

9/10/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

9/24/07, SUBSTITUTED. San Francisco Public Utilities Commission submitted a substitute ordinance bearing new title.

9/24/07, ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTION

071365 [Proposition J: Contracting Out Transit Shelter Advertising and Maintenance Services]

Resolution concurring with the Controller's determination that it is more economical for the San Francisco Municipal Transportation Agency to contract for transit shelter advertising and maintenance services than to provide the same services with City employees for Fiscal Year 2007-08. (Municipal Transportation Agency)

9/24/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, San Francisco Unified School District

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the San Francisco Unified School District and the Department of Public Works report on the status of:

Removing graffiti from the wall of Ida B. Wells on Fell between Pierce and Steiner.

Removing graffiti from the wall of John Muir Elementary School on Oak between Buchanan and Laguna.

From: Supervisor Mirkarimi

To: Director, Department of Parking & Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic report on the status of removing graffiti on the parking signs located on both sides of the street (unless otherwise noted), at the following locations:

Stanyan between Parnassus and Frederick

Ashbury between Haight and Oak

Turk between Masonic and Lyon

Broderick between Golden Gate and Turk

Central between Turk and McAllister

McAllister between Baker to Divisadero

Central between Grove and Hayes

Waller between Clayton and Stanyan

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of condition and repair for the sidewalks on Webster Street between Ellis and Turk.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing graffiti at the following property location:

552-558 Central Avenue

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:

Mailboxes

Southeast corner of Golden Gate and Lyon

Northwest

In Memoriams

Jimmy Kwok - Supervisor Peskin
Peter Wong (Empress Suzie Wong) - Supervisor Dufty

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:03 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 30, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to

statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco

Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Board of Supervisors

October 16, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, October 16, 2007

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Carmen Chu, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

FONTSIZE= +1ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisors Ammiano and Chu were noted absent.

There was a quorum.

Supervisor Chu was noted present at 2:08 p.m.

Supervisor Ammiano was noted present at 2:09 p.m.

FONTSIZE= +1APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Dufty, moved to approve Board Meeting Minutes for September 18, 2006. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FONTSIZE= +1CONSENT AGENDA

FONTSIZE= +1Recommendations of the Budget and Finance Committee

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071178 [Settlement of complaint by PG&E before the Federal Energy Regulatory Commission and approval of an Amended Interconnection Agreement with PG&E] **Supervisor Peskin**

Ordinance authorizing settlement of proceedings before the Federal Energy Regulatory Commission in FERC Dockets No. ER05-1190-000, et al, initiated by Pacific Gas & Electric Company to terminate the 1987 Interconnection Agreement between the City and PG&E; and approving an Amended Interconnection Agreement between the City and PG&E which provides for continued delivery of electricity to City facilities, among other things.

Enacted Number: 235-07

FINALLY PASSED

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071233 [Penalty for Removing Chalk Marks] **Supervisor McGoldrick**

Ordinance amending San Francisco Traffic Code Sections 21 and 132 to impose a penalty for removing chalk marks of one hundred ($100) dollars for any violation and to make minor changes to clarify the parking restriction. (Municipal Transportation Agency)

Enacted Number: 236-07

FINALLY PASSED

FONTSIZE= +1Recommendations of the Rules Committee

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071350 **[Settlement of Lawsuit - Elfie Jansel]**

Ordinance authorizing settlement of the lawsuit filed by Elfie Jansel against the City and County of San Francisco for $98,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. CGC06-452649; entitled Elfie Jansel v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

FONTSIZE= +1

071351 **[Settlement of Lawsuit - Marie Doe]**

Ordinance authorizing settlement of the lawsuit filed by Marie Doe against the City and County of San Francisco for $35,000; the lawsuit was filed on November 18, 2004 in United States District Court, Case No. C04-4914 MJJ; entitled Marie Doe, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

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071318 **[Appointment - Peak Oil Preparedness Task Force]**

Resolution appointing Jeanne-Marie Rosenmeier, Carl Duisberg, Bernard Meyerson and Jan Lundberg to the Peak Oil Preparedness Task Force, terms ending October 5, 2008, residency requirement waived.

Jeanne-Marie Rosenmeier, new appointment, seat 1, must represent the public at large, for a one-year term ending October 5, 2008. Carl Duisberg (residency requirement waived), new appointment, seat 2, must represent the public at large, for a one-year term ending October 5, 2008. Bernard Meyerson, new appointment, seat 3, must represent the public at large, for a one-year term ending October 5, 2008. Jan Lundberg, new appointment, seat 4, must represent the public at large, for a one-year term ending October 5, 2008.

Enacted Number: 565-07

ADOPTED

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The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FONTSIZE= +1REGULAR AGENDA

FONTSIZE= +1UNFINISHED BUSINESS

FONTSIZE= +1From the Clerk

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071397 [Adopting findings related to affirming the categorical exemption issued for 317 Cortland Street]

Motion adopting findings related to affirming the determination by the Planning Department that the 317 Cortland Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Enacted Number: M07-128

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071410 [Adopting findings related to disapproving the categorical exemption issued for 445 Wawona Street] Supervisor Elsbernd

Motion adopting findings related to disapproving the determination by the Planning Department that the 445 Wawona Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Supervisor Elsbernd requested to be added as a sponsor.

Enacted Number: M07-127

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FONTSIZE= +1From the Budget and Finance Committee Without Recommendation

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071231 [Lease of Real Property at 1390 Market Street] Mayor

Resolution authorizing the lease of 6,029 square feet of space in the building located at 1390 Market Street for the Office of Labor Standards Enforcement.

(Fiscal Impact.)

Supervisor Dufty, seconded by Supervisor Mirkarimi, moved that this Resolution be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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070961 **[Recreation and Park Commission-- Authorization to Modify Golf Course Hours and Fees; Creation of Golf Course Task Force]** **Supervisor McGoldrick**

Ordinance adding Section 12.46 to Article 12 of the San Francisco Park Code to authorize the Recreation and Park Commission to modify golf course hours and fees; and to create a Golf Course Task Force that will evaluate measures to reduce General Fund support for operation and maintenance of golf courses, and explore alternative revenue sources.

(No Economic Impact)

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Daly, Elsbernd, Chu

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Continued as amended to October 23, 2007

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Dufty, Elsbernd, Chu

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071128 **[De-appropriating $45,717 of General Fund and Appropriating $45,717 for a Golf Course Task Force in the Department of Recreation and Park for Fiscal Year 2007-2008]** **Supervisor McGoldrick**

Ordinance de-appropriating $45,717 for Golden Gate Park Stables in the Department of Recreation and Park, and appropriating $45,717 for a half-time 1823 Senior Administrative Analyst position to staff a Golf Course Task Force in the Department of Recreation and Park for Fiscal Year 2007-2008.

(Supervisor Dufty dissented in committee.)

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071129 **[Public Employment - Recreation and Park Department]** **Supervisor McGoldrick**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.37 FTE) Class 1823 - Senior Administrative Analyst in the Recreation and Park Department.

(Supervisor Dufty dissented in committee.)

Supervisor McGoldrick, seconded by Supervisor Dufty, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FONTSIZE= +1From the City Operations and Neighborhood Services Committee Without Recommendation

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071258 **[Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]** **Supervisors McGoldrick, Maxwell, Mirkarimi**

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

Continued to October 23, 2007

Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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FONTSIZE= +1NEW BUSINESS

FONTSIZE= +1Recommendations of the Budget and Finance Committee

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071228 **[Clean and Safe Neighborhood Parks General Obligation Bond Election]** **Mayor, Supervisors Peskin, Elsbernd, Dufty**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, February 5th 2008, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred and Eighty-Five Million Dollars ($185,000,000) for the construction, reconstruction, purchase, and/or improvement of park, and recreation facilities within the City and County of San Francisco and all other structures, and improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that a portion of the proposed project is categorically exempt from the California Environmental Quality Act, and the remainder of the proposed project is excluded from the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071281 [Procurement of Construction Management and General Contractor services for the new Public Utilities Commission administrative building at 525 Golden Gate] Supervisor McGoldrick

Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to require an alternative competitive process based on experience, qualifications, and price. (Public Utilities Commission)

Supervisor McGoldrick requested to be added as a sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071300 [Approving Agreement with Northern California Joint Pole Association] Supervisor Peskin

Ordinance approving an agreement between the City and County of San Francisco and the Northern California Joint Pole Association for a term potentially in excess of ten years and indemnifying the Northern California Joint Pole Association and its members from certain third-party claims for personal injury or property damage, and waiving certain requirements of the San Francisco Administrative Code with respect to the agreement.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071375 [Public Employment - Department of Children Youth and their Families] **Supervisor Peskin**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of an 1823 Senior Administrative Analyst and the deletion of an 1822 Administrative Analyst in the Department of Children Youth and their Families.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071280 [Sale of Surplus Real Property Located in the City of South San Francisco]

Resolution approving an Agreement For Sale of Real Estate between the City and County of San Francisco and The Redevelopment Agency of the City of South San Francisco pertaining to approximately 13.64 acres of land located in the vicinity of Chestnut Avenue and El Camino Real in the City of South San Francisco; adopting findings that the transaction is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

Enacted Number: 559-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071295 [Solar Power Projects Long Term Interconnection Agreements] **Supervisor Mirkarimi**

Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into long term interconnection agreements for photovoltaic power plants projects on City buildings, pursuant to San Francisco Charter Section 9.118.

Enacted Number: 554-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval

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071311 [Java House Caf,, LLC Lease] **Mayor**

Resolution approving Port Commission Lease No. 14100 with Java House, LLC, a lease with a fifteen (15) year term for certain real property located at Pier 40« in the City and County of San Francisco at rents starting at the higher of $2,045.00 per month or 7.5% of tenant's gross revenues.

Enacted Number: 555-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071373 [HOPE SF Criteria and Procedures] **Supervisor Maxwell**

Resolution approving criteria and procedures for allocating and expending HOPE SF Funds and authorizing expenditure of HOPE SF Funds consistent with the approved criteria and procedures.

Enacted Number: 556-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

FONTSIZE= +1Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

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071377 [Amendment to Budget Analyst contract to exercise two year option] **Supervisor Peskin**

Motion approving exercising the final option set forth in the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Associates LLC; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to extend the term of the Agreement from January 1, 2008 through December 31, 2009.

(Fiscal Impact.)

Enacted Number: M07-131

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval

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071378 [Request for Proposals process for Budget Analyst services] Supervisor Peskin

Motion directing the Clerk of the Board to initiate a Request for Proposals process for Budget Analyst services.

Amended on page 2, line 2, after the word "process" by inserting "unless the Board of Supervisors requests a sole source contract."

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Daly, Elsbernd, Chu

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APPROVED AS AMENDED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, Peskin, Sandoval

Noes: 3 - Daly, McGoldrick, Mirkarimi

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071298 [Approval of Modification No. 6 to Lease and Use Agreement L-82-0134 with Alaska Airlines, Inc. at San Francisco International Airport] Supervisor Dufty

Resolution approving and authorizing the execution of Modification No. 6 to the Lease and Use Agreement L-82-0134 with Alaska Airlines, Inc., to realign terminal space in Terminal 1 of San Francisco International Airport.

Enacted Number: 560-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071310 [Approval of Addendum to Port Lease for Living Classroom at Heron's Head Park] Supervisor Maxwell

Resolution approving an Addendum to Lease No. 13816 with Literacy for Environmental Justice for Construction, Maintenance, and Operation of a Living Classroom Building at Heron's Head Park.

Enacted Number: 553-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071361 **[Approval of Exercise of Renewal Option of Lease of Real Property at One Market Plaza]**

Resolution approving the exercise of a Six Month Renewal Option of a lease of 20,677 square feet of office, storage and datacenter space at One Market Plaza for the Department of Telecommunications and Information Services (DTIS). (Real Estate Department)

Enacted Number: 561-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071327 **[Extending to September 30, 2008 the Cooperative Agreement between the Treasure Island Development Authority and the U.S. Navy through which the Authority provides caretaker services at**

Resolution approving and authorizing the Treasure Island Development Authority to retroactively enter into a modification to the Cooperative Agreement with the Navy to extend the Cooperative Agreement from October 1, 2007 to September 30, 2008. (Treasure Island Development Authority)

(Fiscal Impact.)

Enacted Number: 562-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071344 **[Master Agreement for State Aid Transportation Funds]** **Mayor**

Resolution approving the execution of a Master Agreement for State-Aid Projects between the City and County of San Francisco, through its Municipal Transportation Agency (for the Department of Parking and Traffic), and the California Department of Transportation.

Enacted Number: 563-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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071169 **[Workforce Development Audit]** **Supervisor Ammiano**

Motion concurring with the Budget Analyst's findings and recommendations as stated in the "Management Audit of San Francisco's Workforce Development Program".

Enacted Number: M07-132

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FONTSIZE= +1From the Budget and Finance Committee Without Recommendation

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071296 **[Appropriating $100,000 of General Fund Reserve to General City Responsibility for Hurricane Relief in Nicaragua]** **Supervisors Daly, Ammiano, Sandoval**

Ordinance appropriating $200,000 from the General Fund Reserve to General City Responsibility for hurricane relief in Nicaragua for Fiscal Year 2007-2008.

(Fiscal Impact.)

Amended by reducing the amount from $200,000 to $100,000.

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

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Ordinance appropriating $100,000 from the General Fund Reserve to General City Responsibility for hurricane relief in Nicaragua for Fiscal Year 2007-2008.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Chu

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Supervisor Daly was noted absent at 3:33 p.m.

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071364 **[Transit Shelter Advertising Agreement]**

Ordinance approving Transit Shelter Advertising Agreement between the City and County of San Francisco and Clear Channel Outdoor Inc. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Mirkarimi
Absent: 1 - Daly

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071365 **[Proposition J: Contracting Out Transit Shelter Advertising and Maintenance Services]**

Resolution concurring with the Controller's determination that it is more economical for the San Francisco Municipal Transportation Agency to contract for transit shelter advertising and maintenance services than to provide the same services with City employees for Fiscal Year 2007-08. (Municipal Transportation Agency)

Enacted Number: 557-07

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Mirkarimi
Absent: 1 - Daly

FONTSIZE= +1From the Land Use and Economic Development Committee Without Recommendation

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070947 **[Exempting Wind Turbines from Bernal Heights Special Use District Height Limits]** **Supervisor Ammiano**

Ordinance amending the San Francisco Planning Code by amending Section 242 (e)(1)(D) to allow certain wind power generators within the Bernal Heights Special Use District subject to height limitations set forth in Section 260(b)(1)(A), making environmental findings, general plan findings, and other required findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

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071122 **[Zoning - Interim zoning controls requiring conditional use authorization for new development in the Bernal Heights Brewster/Joy Neighborhood]** **Supervisors Ammiano, Mirkarimi, Peskin**

Resolution approving interim zoning controls requiring conditional use authorization for new development in the Bernal Heights Brewster/Joy Neighborhood on the East Slope of Bernal Heights for 18 months, and making findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Supervisor Ammiano, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

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ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

FONTSIZE= +1Recommendations of the Rules Committee

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071093 [Urging the American Psychological Association to end its acquiescence in regard to participation of psychologists in interrogation of detainees in Iraq, Afghanistan and Guantanamo Bay] **Supervisor Ammiano**

Resolution requesting that the American Psychological Association reconsider its stance regarding the participation of psychologists in interrogations of detainees by restricting the use of psychologists to providing therapeutic benefits in all sites where detainees are held without due process in violation of international human rights law.

Enacted Number: 568-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

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071307 [Iraq Moratorium] **Supervisors Ammiano, Daly**

Resolution endorsing the Iraq Moratorium's demands to stop the war and bring the troops home.

Enacted Number: 567-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

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071341 [Rules of Order - Material Economic Impact Legislation] Supervisor Peskin

Motion amending Rule 6.25 of the Rules of Order of the Board to clarify its applicability to the Board proceedings and its inapplicability to determinations of material economic impact by the Office of Economic Analysis.

Enacted Number: M07-129

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

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071399 [Waiver permitting City Employees to assist the Department of Elections with the November 6, 2007 election] Supervisor Peskin

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2007 election.

Enacted Number: M07-130

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

FONTSIZE= +1From the Rules Committee Without Recommendation

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071302 [Amending the Board's Rules to require a Supervisor request an item be heard at committee prior to calling it to be heard at the Full Board] Supervisor Peskin

Motion amending Rule 5.31 to the Board of Supervisors' Rules of Order, to require a Supervisor request a hearing at a Committee of the Board before calling an item to be heard before the full Board of Supervisors.

Amend on page 1, line 23, after "referred" by inserting "upon receipt of the request the Clerk of the Board shall notify the Committee Chair of the request."

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

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APPROVED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

FONTSIZE= +1From the Rules Committee Without Recommendation

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071051 **[Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records** **Supervisor Alioto-Pier**

Charter amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved an amendment of the whole.

Motion to amend passed without objection.

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved to further amend on page 1 "(4)" by replacing "4 years" with 2 years".

Motion to further amend passed by the following vote:

Ayes: 8 - Ammiano, Chu, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Alioto-Pier, Elsbernd

Absent: 1 - Daly

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

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Charter Amendment (Third Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

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FONTSIZE= +1SPECIAL ORDER 3:30 P.M - Recognition of Commendations

FONTSIZE= +1Privilege of the Floor

It was decided to to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

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Supervisor Alioto-Pier welcomed, introduced and presented a Certificate of Honor to Abe Valente & Sons Plumbing Company in recognition of 100 years of being in business in San Francisco.

FONTSIZE= +1SPECIAL ORDER 3:30 P.M

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070967 **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

The President of the Board inquired as to whether any member of the public wished to address the Board members.

Continued to October 30, 2007

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

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Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

FONTSIZE= +1(Only one of the following two motions should be approved.)

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070968 **[Minor Sidewalk Encroachment Permit Appeal]**

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

Continued to October 30, 2007

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

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070969 **[Minor Sidewalk Encroachment Permit Appeal]**

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

Continued to October 30, 2007

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

FONTSIZE= +1COMMITTEE REPORTS

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071158 **[Approving General Plan Amendments Related to Market & Octavia Area Plan]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco General Plan by adding a new area plan entitled the Market & Octavia Area Plan, and approving General Plan amendments to implement the Market and Octavia Neighborhood Plan by amending the Commerce and Industry, Housing, Recreation and Open Space and Transportation Elements, the Civic Center Area Plan, Downtown Area Plan, South of Market Area Plan, and the Land Use Index; providing the ordinance shall not be effective until the effective date of an additional affordable housing program for the Market and Octavia area plan to be adopted by the Board of Supervisors; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

8/13/07 - Economic Impact.

Supervisor Dufty was previously excused from voting on this matter.

Supervisor Mirkarimi, seconded by Supervisor Sandoval, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Dufty

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PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Dufty

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FONTSIZE= +1ROLL CALL FOR INTRODUCTIONS

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Supervisor Daly was noted present at 4:44 p.m.

FONTSIZE= +1PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, *including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

Abdalla Megahed; expressed concern with issues relating to homelessness

James Chaffee; expressed concern with issues relating to the SF Public Library

Grasshooper Alan Kaplan; expressed with issues relating to homelessness and housing

Male speaker; expressed concern with issues relating to the politicians in San Francisco and the General Manager of the Recreation and Park Department and appreciated the Blue Angels air show

Peter Warfield; expressed concern with issues relating to the SF Public Library

Eugene Gordon Jr.; expressed concern with issues relating to the violation of human rights

Silvia Johnson; expressed concern with issues relating to general issues

John di Donna; shared a poem with the Board members

Tim Lipstill; expressed concern with issues relating to wood window workers and workers rights

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Supervisors Daly and Dufty were noted absent at 5:05 p.m.

FONTSIZE= +1FOR ADOPTION WITHOUT COMMITTEE REFERENCE

This measure was introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

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071405 [Landmark Designation nomination for Mary Ellen Pleasant Trees located at 1661 Octavia Street] **Supervisors Maxwell, Mirkarimi**

Resolution of intent initiating the nomination of the mature blue gum (Eucalyptus globulus) trees located at 1661 Octavia Street (Assessor's Block 647 lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

Enacted Number: 552-07

ADOPTED

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071406 [Approval of a 90 day extension for Planning Commission review] **Supervisor Alioto-Pier**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would add Planning Code Section 320, 320.1, 320.2 and 320.3 establishing a process to permit the adoption or expenditure of neighborhood impact fees as defined in the ordinance only after the Planning Department has conducted or caused to be conducted an impact study supporting the imposition of such a fee and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 558-07

ADOPTED

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071407 [Commending Virginia Harmon on her service to the City and County of San Francisco as the Executive Director of the Human Rights Commission] **Supervisors Dufty, Ammiano, Maxwell**

Resolution commending Virginia Harmon on her service to the City and County of San Francisco as the Executive Director of the Human Rights Commission.

Enacted Number: 566-07

ADOPTED

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The foregoing items were acted upon by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 2 - Daly, Dufty

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FONTSIZE= +1Severed from the Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

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071415 [Establishing Board procedures for the official misconduct proceedings against Supervisor Edmund Jew]

Motion directing the Clerk of the Board of Supervisors to advertise for outside counsel to represent the Board of Supervisors on the matter of the official misconduct charges filed against Supervisor Edmund Jew, setting forth the process of selecting said outside counsel, and requiring that all hearings before the Board of Supervisors regarding the official misconduct proceedings against Supervisor Jew occur in a Committee of the Whole of the Board of Supervisors.

Supervisor Chu, seconded by Supervisor Alioto-Pier, moved to duplicate the file and delete on page 4, "FURTHER MOVED, That all hearings to discuss the Board's responsibilities under Section 15.105 of the Charter of the City and County of San Francisco, and the process by which the Board shall fulfill those responsibilities, be heard and approved in a Committee of the Whole of the Board of Supervisors; this shall include, but not be limited to, all consideration of the retention of outside legal counsel, establishing the format of Supervisor Jew's official misconduct hearing before the Board of Supervisors, developing procedures and standards for the administration of said misconduct hearing, as well as any other procedural considerations regarding these proceedings."

(See File 071454)

APPROVED AS DIVIDED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty

FONTSIZE= +1Supervisor Chu Excused From Voting

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to excuse Supervisor Chu, at her request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty
Excused: 1 - Chu

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071454 [Establishing Board procedures for the official misconduct proceedings against Supervisor Edmund Jew] **Supervisor Sandoval**

Motion directing the Clerk of the Board of Supervisors to advertise for outside counsel to represent the Board of Supervisors on the matter of the official misconduct charges filed against Supervisor Edmund Jew, setting forth the process of selecting said outside counsel, and requiring that all hearings before the Board of Supervisors regarding the official misconduct proceedings against Supervisor Jew occur in a Committee of the Whole of the Board of Supervisors.

Enacted Number: M07-136

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty
Excused: 1 - Chu

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Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

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071403 [Advertising for and Selection Process of Outside Counsel for the Board of Supervisors] Supervisor Elsbernd

Motion directing the Clerk of the Board of Supervisors to advertise for outside counsel to represent the Board of Supervisors on the matter of the official misconduct charges filed against Supervisor Edmund Jew, and setting forth the process of selecting said outside counsel.

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Chu, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Dufty

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Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

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071404 [Urging issuance of a Request for Proposals for an Open Source Voting System for the November 4, 2008 General Election] Supervisor Daly

Resolution endorsing the use of Open Source software in voting systems for the City and County of San Francisco and urging the Mayor to urge the Director of Elections to prepare and issue a Request for Proposals for an Open Source voting system for the November 4, 2008 General Election.

Supervisor Elsbernd requested to refer this matter to Committee.

REFERRED to the Rules Committee.

FONTSIZE= +1OFF-AGENDA LEGISLATION

FONTSIZE= +1Introduced by Supervisors or Mayor

FONTSIZE= +1Ordinances

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071425 [Planning - Union Street Neighborhood Commercial District - full-service Supervisor Alioto-Pier

restaurants]

Ordinance amending Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

10/16/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2007.

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071426 [Fair Retail Pricing Ordinance] Supervisor Ammiano

Draft Ordinance amending the San Francisco Police Code to add Article 42C, Section 4200C.1 to 4200C.8, to require motor fuel refiners over a two year period to divest themselves of company-operated service stations in the City and County of San Francisco and to preclude refiners from owning service stations in San Francisco in the future.

Economic Impact

10/16/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/15/2007.

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071427 [Alternative Access Fuels Ordinance] Supervisor Ammiano

Draft Ordinance amending the San Francisco Police Code to Add Article 42C, Sections 4200C.9 to 4200C.11, to prohibit franchise and fuel supply agreements from limiting the ability of franchisees and independent service station dealers to purchase motor fuel from any location or through any vendor in the refiner's wholesale network and to prohibit franchise and fuel supply agreements from limiting the ability of independent service station dealers and franchisees to purchase alternative motor fuel from any source other than the supplier or refiner if the supplier or refiner is unable to provide the alternative motor fuel.

10/16/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/15/2007.

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071428 [Appropriating $5,000,000 of General Fund Reserve for Supportive Housing Projects for people who are homeless or at risk or homeless for Fiscal Year 2007-2008] Supervisor Daly

Draft Ordinance appropriating $5,000,000 of General Fund Reserve from Fiscal Year 2007-2008 to the Mayor's Office of Housing for the acquisition, construction, and rehabilitation of housing for persons who are currently homeless or who at risk of being homeless.

(Fiscal Impact.)

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071431 [Planning Code - Restoration of Movie Theater Projecting Signs and Marquees] Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 188, 603, and 604 and by adding Sections 602.25 and 602.26 in order to allow for the reconstruction, rehabilitation, or restoration of noncomplying movie theater projecting signs and marquees; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/16/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2007.

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071432 [Street encroachment on Linden Street between Gough Street and Octavia Boulevard] Supervisor Mirkarimi

Ordinance granting revocable permission to 300 Linden LLC to occupy the public right-of-way to construct street encroachment improvements on a portion of Linden Street, an unaccepted public right-of-way, between Gough and Octavia Boulevard, including new landscaping, raised stamped and colored asphalt paving, ADA approved detectable warning material, raised planters and granite curbstones for seating; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

10/16/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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071433 [Public Employment - Department of Public Health] Supervisors Mirkarimi, Maxwell, Ammiano

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 12.90 positions in the Department of Public Health to support acute psychiatric beds at San Francisco General Hospital.

(Fiscal Impact.)

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071434 [Appropriating $2,335,282 for Acute Psychiatric Beds at San Francisco General Hospital in the Department of Public Health for Fiscal Year 2007-2008] Supervisors Mirkarimi, Ammiano, Maxwell

Ordinance appropriating $2,335,282 including $1,368,743 of General Fund Reserve and $407,194 of Medicare revenue, $66,384 of other in-patient revenue and $492,961 of Medi-Cal revenue, to support acute psychiatric beds at San Francisco General Hospital in the Department of Public Health for Fiscal Year 2007-2008, and requiring reports on the availability of services to meet the mental health needs of the in-patient clients.

(Fiscal Impact.)

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071436 [Appropriating $33,521,354 of land sales revenue for construction at 525 Golden Gate to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008] Mayor

Ordinance appropriating $33,521,354 of San Francisco Water and Wastewater Enterprises estimated land sales revenues from properties including BART land, Petrocchi Brothers property, 425 Mason Street, Muni Transfer at Cesar Chavez, Peter Naughton Easement Transfer, Sea Cliff Lot, Chestnut and El Camino property in South San Francisco, Manzano Way lots in Fremont, PG&E Jefferson Martin Line, and Martin Gaehwhiler property, for costs related to architectural, excavation design services, construction and construction management at 525 Golden Gate Avenue to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008.

(Fiscal Impact.)

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071437 [Appropriating $372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07] Mayor

Ordinance appropriating $372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07.

(Fiscal Impact.)

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

FONTSIZE= +1Resolutions

FONTSIZE= +1

071404 [Urging issuance of a Request for Proposals for an Open Source Voting System for the November 4, 2008 General Election] Supervisor Daly

Resolution endorsing the use of Open Source software in voting systems for the City and County of San Francisco and urging the Mayor to urge the Director of Elections to prepare and issue a Request for Proposals for an Open Source voting system for the November 4, 2008 General Election.

10/2/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/16/07, REFERRED to Rules Committee. Supervisor Elsbernd requested to refer this matter to Committee.

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071424 [Accept-expend State Grant Funds available under the California Cultural and Historical Endowment to fund the Palace of Fine Arts Rotunda Restoration Project] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $1,451,250 for the restoration of the Palace of Fine Arts Rotunda , under Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California State Library, California Cultural and Historical Endowment.

10/16/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services

Committee.

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071429 **[Drug Conviction/Financial Aid Resolution]** **Supervisor Daly**

Resolution urging San Francisco Congressional representatives to overturn the provision of the Higher Education Act of 1998 that denies or delays access to financial aid for persons convicted for drug-related offenses.

10/16/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

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071430 **[Accept-Expend Private Foundation Grant - Back on Track Program]** **Supervisor Dufty**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of $25,000 from the Metta Fund Health Foundation for a program entitled "Back on Track" for fiscal year 2007/2008.

10/16/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

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071435 **[Authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal** **Supervisor Peskin**

Resolution authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal and State transportation grants expiring on June 30, 2008.

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071438 **[Mortgage Revenue Bonds - Mason Street Supportive Housing]** **Mayor**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $30,000,000 for Mason Street Supportive Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $30,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071440 **[Urging Wooden Windows and the Carpenters Union Local 2236 work together to find resolution to labor disputes]** **Supervisors Ammiano, Dufty**

Resolution urging Wooden Windows and the Carpenters Union Local 2236 to work together to find resolution to labor disputes and acknowledging recent events surrounding such disputes.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071441 **[Urging banks to work with the City to address the affects of subprime lending and calling on the Federal Reserve to take action at the national level to end predatory loan practices]** **Supervisor Ammiano**

Resolution urging banks to work with the City to address foreclosures and subprime loan practices; calling on the Federal Reserve to prohibit loans at unaffordable rates, end the misuses of stated loans, eliminate prepayment penalties, and designate failure to escrow taxes and insurance in subprime loans as a deceptive practice.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071442 **[Urging the adoption of October 27, 2007 as "End The War in Iraq" Day in San Francisco]** **Supervisors Ammiano, Mirkarimi**

Resolution urging the Board of Supervisors to designate October 27, 2007 as "End The War in Iraq" Day in San Francisco and to endorse the march and rally that are scheduled to commence on October 27, 2007.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071443 **[Urging the Mayor and Board of Supervisors provide city funding for the first annual Central American "Festival de los Volcanes"]** **Supervisor Ammiano**

Resolution urging the Mayor and Board of Supervisors to recognize November 4th, 2007 Central American Peoples Day, and to acknowledge Central American Resource Center's (CARECEN) contributions in organizing first annual Central American Community "Festival de los Volcanes" which celebrates the historical presence and contributions of Central Americans to San Francisco.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071444 **[Urging neighboring nations and major investors to defend peaceful pro-democracy** **Supervisors Ammiano, Mirkarimi, Daly**

demonstrators in Burma]

Resolution Urging the Governments of China, India, Thailand, Korea, Japan, and of the United States, as well as the Chevron and Daewoo Corporations to Take Action in Defense of Peaceful Pro-Democracy Demonstrators in Burma.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071445 **[Commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2007]** **Supervisor Dufty**

Resolution commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2007.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071446 **[Urging the Mayor's Office of Housing to develop a homeownership preservation plan]** **Supervisor Sandoval**

Resolution urging the Mayor's Office of Housing to create an emergency fund to prevent foreclosures and preserve home ownership.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071447 **[Commending Warren Hellman and the Hardly Strictly Bluegrass Festival]** **Supervisors Peskin, Dufty, Mirkarimi, Elsbernd**

Resolution commending Warren Hellman for his hard work and generosity in presenting the Hardly Strictly Bluegrass music festival in San Francisco for the last six years.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071448 **[Commending Vice President Al Gore for winning the Nobel Peace Prize for his efforts to combat global warming]** **Supervisors Alioto-Pier, McGoldrick**

Resolution commending Vice President Al Gore for winning the Nobel Peace Prize for his efforts to combat global warming.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071449 **[Acceptance of the gift related to the improvement of a portion of the Lyon Street Stairs]** **Supervisor Alioto-Pier**

Resolution acknowledging and accepting Richard C. Blum's gift to refurbish a portion of the Lyon Street Stairs and dedicating these improvements to public use.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT

THE NEXT BOARD MEETING.

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071450 **[Urging the Attorney General to clarify how Penal Code 3003 and the transient provision in Penal Code Section 290 apply to Jessica's Law (Proposition 83)]** **Supervisor McGoldrick**

Resolution condemning the current policy of the California Department of Corrections and Rehabilitation of advising parolees who are unable to secure housing compliant with Proposition 83 ("Jessica's Law") to declare transience in order to avoid incarceration.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071451 **[Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of federal homeland security funds]** **Supervisor Alioto-Pier**

Resolution authorizing City and County officials to enter into a Memorandum of Understanding that (1) establishes procedures for application, allocation and distribution of federal Urban Areas Security Initiative Program grant funds for fiscal year 2007 and future fiscal years, (2) continues an Urban Area Working Group with other Bay Area governmental entities, and (3) continues San Francisco as the primary grantee and fiscal agent for Urban Areas Security Initiative Program grant funds; further authorizing designated City and County officials to negotiate, execute and file on behalf of the City and County of San Francisco any and all agreements and documents and to take any other action necessary to apply for and receive grant funds under the Federal Urban Areas Security Initiatives Program.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

FONTSIZE= +1Hearings

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071419 **[Mortgage Crisis]** **Supervisor Alioto-Pier**

Hearing on the Mortgage Crisis and its impact on San Francisco. The hearing will consider: 1) The scope and impact of the nationwide mortgage crisis on San Francisco; 2) Actions the city can take to assist homeowners facing foreclosure; 3) Examination of regulation of the mortgage industry and City's ability to impact the mortgage market.

10/16/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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071420 **[Department of Public Works - Contracting reform]** **Supervisor Elsbernd**

Hearing on the status of contracting reform efforts at Department of Public Works (DPW).

10/16/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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071421 **[Lake Merced Update]** **Supervisor Elsbernd**

Hearing on the Lake Merced update from Public Utilities Commission and Recreation and Park Department.

10/16/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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071422 **[Wastewater Capacity Charge]** **Supervisor Mirkarimi**

Hearing to inquire into the adequacy of notice and due process surrounding the adoption of the new Wastewater Capacity Charge adopted by the San Francisco Public Utilities Commission on March 22, 2005 (Resolution No. 05-0045), as it pertains to owners and developers whose application for an on-site permit was on file prior to the date of implementation of the revised wastewater capacity charge. Hearing participants shall include: SFPUC, Department of Building Inspection, SF Redevelopment Agency, Mayor's Office of Community Development, among others.

10/16/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

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071423 **[Domestic Violence]** **Supervisor Mirkarimi**

Hearing before the Public Safety Committee of the Board of Supervisors to consider strategies to combat domestic violence in the City and County of San Francisco.

10/16/07, RECEIVED AND ASSIGNED to Public Safety Committee.

FONTSIZE= +1Motions

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071439 **[Confirmation of Director of Office of Citizen Complaints]** **Mayor**

Motion confirming appointment of Joyce Hicks as Director of the Office of Citizen Complaints.

10/16/07, RECEIVED AND ASSIGNED to Rules Committee.

FONTSIZE= +1PROPOSED ORDINANCES

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071411 **[Settlement of Lawsuit - Robert Kellogg, Jr.]**

Ordinance authorizing settlement of the lawsuit filed by Robert Kellogg, Jr., against the City and County of San Francisco and Philip J. Welsh for $150,000; the lawsuit was filed on January 6, 2006 in San Francisco Superior, Case No. 446-493; entitled Robert Kellogg, Jr. v. City and County of San Francisco, et al. (City Attorney)

10/5/07, RECEIVED AND ASSIGNED to Rules Committee.

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071412 **[Settlement of Lawsuit - Mitchell Engineering/J. Fletcher Creamer & Son, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by Mitchell Engineering/J. Fletcher Creamer & Son, Inc. against the City and County of San Francisco for $775,000; the lawsuit was filed on July 6, 2005 in San Joaquin County Superior Court, Case No. CV 026863; entitled Mitchell Engineering/J/ Fletcher Creamer & Son, Inc., et al., v. City and County of San Francisco, et al. (City Attorney)

10/5/07, RECEIVED AND ASSIGNED to Rules Committee.

FONTSIZE= +1PROPOSED RESOLUTIONS

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071384 **[Settlement of Unlitigated Claim - PG&E]**

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas & Electric against San Francisco for $238,594; claim was filed on June 19, 2007. (City Attorney)

9/25/07, RECEIVED AND ASSIGNED to Rules Committee.

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071385 **[Authorizing the Department of Telecommunications and Information Services to amend an agreement with CA, Inc. to extend the term of the agreement from ten years to twelve years and five**

Resolution authorizing the Department of Telecommunications and Information Services ("DTIS") to enter into the Second Amendment of an agreement between the City and County of San Francisco ("City") and CA, Inc. ("CA") to extend term of the agreement to thirteen years with an option for another three years. (Telecommunications and Information Services)

(Fiscal Impact.)

9/28/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071386 **[Approving a contract with anticipated expenditures in excess of $10 million]**

Resolution approving an Agreement between the City and County of San Francisco and S & S Trucking (Contractor) for hauling biosolids (sludge) and grit estimated to exceed $10 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

10/1/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071409 **[Street Artist Winter Holiday Spaces]** **Supervisor Dufty**

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk

Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2007, beginning on November 15, 2007 and ending on January 15, 2008. (Arts Commission)
10/3/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

FONTSIZE= +1Requests Granted

From: Supervisor Elsbernd

To: All City Departments

Requesting/Inquiring: Requesting a response to the following:

1) Does the Department currently maintain any month-to-month leases?

2) If yes, please provide the following information for each month-to-month lease:

a) monthly rent

b) location of lease

c) date on which lease became effective

d) name of lessee

e) reason for month-to-month lease

From: Supervisor Ammiano

To: Director, Planning Department

To: Director, Department of Building Inspections

Requesting/Inquiring: One of the Planning Commission's recommendations regarding BF # 07-0671 is that DBI permit review staff will need to receive training on fringe financial services so that any such application will be appropriately routed to the Planning Department for review.

Within 30 days, please clarify how DBI and Planning intend to modify their procedures and communications to ensure that both conform to what is expected of the departments as outlined in the ordinance.

From: Supervisor Ammiano

To: Director, Municipal Transportation Agency

To: Director, Department of Public Works

Requesting/Inquiring: The Bureau of Street Environmental Services, a Division of the DPW, is in charge of maintaining city owned street furniture. MUNI is in charge of maintaining MUNI poles. The banner hardware on the decorative light poles on Mission Street, between 16th and 24th is sorely neglected.

These poles are a prominent and highly regarded contribution the city has made to our famous, busy corridor. There are numerous either broken or missing banner brackets.

One or both agencies must take responsibility for maintenance and repair of this city owned street furniture. Community activists have been calling DPW and MUNI for years and getting nowhere. The 30th anniversary of Carnaval SF, the

FONTSIZE= +1In Memoriams

In Memoriams

Fred Chan - Supervisor McGoldrick

Sandy Kim - Supervisor Chu, Supervisor Elsbernd

Seiko Ota Murase- Supervisor Chu

Jack Shears - Supervisor Dufty

Jean Kortum - Entire Board

Enrico Banducci - Entire Board

Vincent Sin Pang - Supervisor Peskin

Dorothy May Laws - Supervisor Peskin

John Francis Petrin - Supervisor Peskin

Mario Mormorunni - Supervisor Peskin

Ramadan Smith - Supervisor Mirkarimi

Torfirio Carpenter - Supervisor Mirkarimi

Dr. Daniel Collins - Supervisor Maxwell

Verta Lee Vinson - Supervisor Maxwell

Willa Sims - Supervisor Maxwell

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FONTSIZE= +1ADJOURNMENT

There being no further business the Board adjourned at the hour of 5:13 p.m.
Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 13, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.)

3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Board of Supervisors

October 23, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, October 23, 2007

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Carmen Chu, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*Jake McGoldrick.*
Members Absent:	*None.*

FONTSIZE= +1ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor McGoldrick was noted absent.

Supervisor McGoldrick was excused from attending today's meeting.

FONTSIZE= +1Supervisor McGoldrick Excused From Attendance

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to approve Board Meeting Minutes of September 25, 2007. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1CONSENT AGENDA

FONTSIZE= +1Recommendations of the Budget and Finance Committee

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071228 [Clean and Safe Neighborhood Parks General Obligation Bond Election] **Mayor, Supervisors Peskin, Elsbernd, Dufty**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, February 5th 2008, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred and Eighty-Five Million Dollars ($185,000,000) for the construction, reconstruction, purchase, and/or improvement of park, and recreation facilities within the City and County of San Francisco and all other structures, and improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that a portion of the proposed project is categorically exempt from the California Environmental Quality Act, and the remainder of the proposed project is excluded from the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

Enacted Number: 237-07

FINALLY PASSED

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071281 [Procurement of Construction Management and General Contractor services for the new Public Utilities Commission administrative building at 525 Golden Gate] **Supervisor McGoldrick**

Ordinance approving an Integrated Project Delivery Plan for the early procurement of a Construction Manager/General Contractor for the new Public Utilities Commission administrative building at 525 Golden Gate Avenue and modifying the competitive bid requirements of Administrative Code Chapter 6 to require an alternative competitive process based on experience, qualifications, and price. (Public Utilities Commission)

Enacted Number: 245-07

FINALLY PASSED

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071300 [Approving Agreement with Northern California Joint Pole Association] **Supervisor Peskin**

Ordinance approving an agreement between the City and County of San Francisco and the Northern California Joint Pole Association for a term potentially in excess of ten years and indemnifying the Northern California Joint Pole Association and its members from certain third-party claims for personal injury or property damage, and waiving certain requirements of the San Francisco Administrative Code with respect to the agreement.

Enacted Number: 243-07

FINALLY PASSED

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071375 [Public Employment - Department of Children Youth and their Families] **Supervisor Peskin**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of an 1823 Senior Administrative Analyst and the deletion of an 1822 Administrative Analyst in the Department of Children Youth and their Families.

Enacted Number: 239-07

FINALLY PASSED

FONTSIZE= +1Recommendations of the City Operations and Neighborhood Services Committee

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070970 **[Liquor License Transfer, 2480 San Bruno Avenue]**

Resolution determining that the transfer of a Type 21 off-sale general license from 667-669 Geary Street to 2480 San Bruno Avenue to Hing Yue, Inc. dba San Bruno Supermarket will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 590-07

ADOPTED

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070992 **[Liquor License, 22 Peace Plaza, Space 525]**

Resolution determining that the issuance of a Type 48 on-sale general public premises license in exchange for a Type 47 on-sale general eating place license to Wen Wen Lin dba Kabuki Night Club at 22 Peace Plaza, Space 525, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 589-07

ADOPTED

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071192 **[Liquor License Transfer - 1641 Fillmore Street]**

Resolution determining that the transfer of a Type 21 off-sale general license from 1669 Fillmore Street to 1641 Fillmore Street to John Kyoyoon Lee dba Fillmore Market will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 588-07

ADOPTED

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071262 **[Study of HIV transmission behavior in HIV-positive men]**

Resolution authorizing the San Francisco Department of Public Health (DPH), to enter retroactively into an agreement in the amount of $37,906 with the University of California, San Francisco (UCSF), the primary contractor, to participate in a study to examine decisions to have high transmission-risk sex; study the efficacy of a prevention counseling intervention; and determine whether future episodes of unprotected sex are reduced, for the period of September 1, 2006 to August 31, 2007. (Public Health Department)

Enacted Number: 587-07

ADOPTED

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071304 **[Accept-Expend Federal/State Pass Through Grant - Department of Public Library]** **Mayor**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $13,398 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

Enacted Number: 586-07

ADOPTED

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071345 **[Accept-Expend Federal Grant, Department of the Environment - $200,000]** **Mayor**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $200,000 from the U.S. Department of Energy for the Solar America Initiative in order to fund technical consultants, the development and publication of outreach materials and City staff time over a two-year period for the purpose of energy reduction.

Enacted Number: 582-07

ADOPTED

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071381 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice]** **Supervisor Alioto-Pier**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $400,000 from the Department of Justice (DOJ), Office of Violence Against Women (OVW), FY2007 Safe Havens: Supervised Visitation and Safe Exchange Program for the purpose of supporting supervised visitation and safe exchange options for families with a history of violence or abuse.

Enacted Number: 580-07

ADOPTED

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071391 **[Grant to fund child safety and occupant protection in San Francisco]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend a grant for $387,557 from the California Office of Traffic Safety (OTS), which includes contracts with the San Francisco Study Center for $78,750 and O'Rorke, Inc. for $80,000; for the period of January 1, 2008 through September 30, 2009.

Enacted Number: 579-07

ADOPTED

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071392 **[State Grant to support the Pierce's Disease Control Program]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the California Department of Food and Agriculture (CDFA) in the amount of $191,664.48 in support of the Pierce's Disease Control Program, for the period of July 1, 2007 through June 30, 2010.

Enacted Number: 578-07

ADOPTED

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071400 **[Retroactive Accept and Expend State Grant - Department of the Environment]** **Supervisor Mirkarimi**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $206,125.00 from the California Integrated Waste Management Board for the purpose of increasing Used Motor Oil Recycling and Household Hazardous Waste Management.

Enacted Number: 577-07

ADOPTED

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Recommendations of the Rules Committee

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071350 **[Settlement of Lawsuit - Elfie Jansel]**

Ordinance authorizing settlement of the lawsuit filed by Elfie Jansel against the City and County of San Francisco for $98,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. CGC06-452649; entitled Elfie Jansel v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 242-07

FINALLY PASSED

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071351 **[Settlement of Lawsuit - Marie Doe]**

Ordinance authorizing settlement of the lawsuit filed by Marie Doe against the City and County of San Francisco for $35,000; the lawsuit was filed on November 18, 2004 in United States District Court, Case No. C04-4914 MJJ; entitled Marie Doe, et al. v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 241-07
FINALLY PASSED

FONTSIZE= +1From the Land Use and Economic Development Committee Without Recommendation

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070947 [Exempting Wind Turbines from Bernal Heights Special Use District Height Limits] **Supervisor Ammiano**

Ordinance amending the San Francisco Planning Code by amending Section 242 (e)(1)(D) to allow certain wind power generators within the Bernal Heights Special Use District subject to height limitations set forth in Section 260(b)(1)(A), making environmental findings, general plan findings, and other required findings.

Enacted Number: 247-07
FINALLY PASSED

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The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1REGULAR AGENDA

FONTSIZE= +1UNFINISHED BUSINESS

FONTSIZE= +1From the Budget and Finance Committee Without Recommendation

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070961 [Recreation and Park Commission--Authorization to Modify Golf Course Hours and Fees; Creation of Golf Course Task Force] **Supervisor McGoldrick**

Ordinance adding Section 12.46 to Article 12 of the San Francisco Park Code to authorize the Recreation and Park Commission to modify golf course hours and fees; and to create a Golf Course Task Force that will evaluate measures to reduce General Fund support for operation and maintenance of golf courses, and explore alternative revenue sources.

(Supervisor Dufty dissented in committee.)

Continued to October 30, 2007

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071296 [Appropriating $100,000 of General Fund Reserve to General City Responsibility for Hurricane Relief in Nicaragua] **Supervisors Daly, Ammiano, Sandoval**

Ordinance appropriating $100,000 from the General Fund Reserve to General City Responsibility for hurricane relief in Nicaragua for Fiscal Year 2007-2008.

Enacted Number: 244-07

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Chu
Excused: 1 - McGoldrick

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071364 [Transit Shelter Advertising Agreement]

Ordinance approving Transit Shelter Advertising Agreement between the City and County of San Francisco and Clear Channel Outdoor Inc. (Municipal Transportation Agency)

Enacted Number: 240-07

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Chu, Maxwell, Peskin, Sandoval
Noes: 2 - Daly, Mirkarimi
Absent: 1 - Ammiano
Excused: 1 - McGoldrick

FONTSIZE= +1From the City Operations and Neighborhood Services Committee Without Recommendation

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071258 [Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden **Supervisors McGoldrick, Maxwell, Mirkarimi**

Gate Bridge Partnership Program]

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

Continued to October 30, 2007

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

FONTSIZE= +1Recommendation of the Land Use and Economic Development Committee

FONTSIZE= +1Supervisor Daly Excused from Voting

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to excuse Supervisor Daly, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 3 - Daly, Dufty, McGoldrick

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071158 [Approving General Plan Amendments Related to Market & Octavia Area Plan] **Supervisor Mirkarimi**

Ordinance amending the San Francisco General Plan by adding a new area plan entitled the Market & Octavia Area Plan, and approving General Plan amendments to implement the Market and Octavia Neighborhood Plan by amending the Commerce and Industry, Housing, Recreation and Open Space and Transportation Elements, the Civic Center Area Plan, Downtown Area Plan, South of Market Area Plan, and the Land Use Index; providing the ordinance shall not be effective until the effective date of an additional affordable housing program for the Market and Octavia area plan to be adopted by the Board of Supervisors; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1.

Supervisor Dufty was previously excused from voting on this matter.

Enacted Number: 246-07

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 3 - Daly, Dufty, McGoldrick

FONTSIZE= +1Board of Supervisors Sitting as a Committee of the Whole

FONTSIZE= +1From the Rules Committee Without Recommendation

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071051 **[Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records** **Supervisor Alioto-Pier**

Charter Amendment (Third Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

The President inquired as to whether any member of the public wished to address the Board members.

Silvia Johnson

The President declared the public hearing closed,

(First Vote)

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Peskin, Sandoval

Noes: 3 - Daly, Maxwell, Mirkarimi

Excused: 1- McGoldrick

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved to rescind the previous vote.

Motion to rescind passed without objection.

(Second Vote)

Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Sandoval

Noes: 5 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin

Excused 1 - McGoldrick

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to rescind the previous vote:

Motion to rescind the previous vote failed by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Sandoval

Noes: 5 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin

Excused 1 - McGoldrick

NOT ORDERED SUBMITTED by the following vote:
Ayes: 5 - Alioto-Pier, Dufty, Elsbernd, Chu, Sandoval
Noes: 5 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin
Excused: 1 - McGoldrick

FONTSIZE= +1Recommendations of the Budget and Finance Committee

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071326 **[Public Employment - Department of Public Health]**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 34.95 positions in the Department of Public Health pursuant to Ordinance 162-07 (Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Local 790 Staff and Per Diem Nurses) and Ordinance 164-07 (Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers Local 856 Supervising Registered Nurses Unit 11.B) using funding from the Salaries and Benefits Reserve as appropriated in Ordinance 174-07 (Consolidated Budget and Annual Appropriation Ordinance for Fiscal Year Ending June 30, 2008). (Human Resources Department)

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071329 **[Amending and Repealing Cash Revolving Funds and Cash Revolving Accounts]**

Ordinance amending and repealing various sections of Article XV, Part I of the San Francisco Municipal Code (Administrative Code), which established cash revolving funds and cash revolving accounts for the City and County of San Francisco departments. (Controller)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071339 **[Grant of Federal Funds, Municipal Transportation Agency - $46,547,421]** **Supervisor Peskin**

Resolution authorizing the Municipal Transportation Agency to accept and expend

$46,547,421 of Federal Transit Administration Section 5309 fixed guideway capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

(Fiscal Impact.)

Enacted Number: 585-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071340 [Grant of Federal Funds, Municipal Transportation Agency - $31,854,482] **Supervisor Peskin**

Resolution authorizing the Municipal Transportation Agency to accept and expend $31,854,482 of Federal Transit Administration Section 5307 capital assistance for various Municipal Railway capital projects and activities, excluding citywide indirect costs.

(Fiscal Impact.)

Enacted Number: 584-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071342 [Grant of Federal Funds, Municipal Transportation Agency - $1,805,760] **Supervisor Maxwell**

Resolution authorizing the Municipal Transportation Agency to accept and expend $1,805,760 of Federal Transit Administration Section 5309 Bus and Bus Facilities funding for design and construction of Muni's Islais Creek Facility and the purchase of Automatic Vehicle Locator (AVL) equipment.

(Fiscal Impact.)

Enacted Number: 583-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1Recommendations of the City Operations and Neighborhood Services Committee

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070508 **[Banning alcohol in children's play areas]** **Supervisor Alioto-Pier**

Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in children's play areas.

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071089 **[Warning on Cough and Cold Medicine for Infants and Young Children Ordinance]** **Supervisors Alioto-Pier, Dufty**

Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 2 years, and (2) provide penalties for violations.

(Supervisor McGoldrick dissented in Committee.)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1Recommendations of the Land Use and Economic Development Committee

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070851 **[Polk Street Neighborhood Commercial District Zoning Controls]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 121.2 to move Polk Street from a 3,000 square foot lot size limit to a 2,000 square foot lot size limit and by amending Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; adopting findings, including Section 302 findings, environmental findings, and findings of consistency with Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071376 [Initiate the Designation of 690 Market, the Chronicle Building, as a Landmark] **Supervisors Peskin, Mirkarimi**

Resolution initiating the designation of 690 Market, the Chronicle Building, Lot 6 in Assessor's Block 311, as a landmark pursuant to Section 1004.1 of the Planning Code and urging expedited consideration of the building's landmark status and a Mills Act contract associated with the building's rehabilitation and restoration.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 581-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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070738 [Planning - Inner Clement Street Neighborhood Commercial District - full-service restaurants and bars] **Supervisor McGoldrick**

Ordinance amending Planning Code Sections 716.1, 716.41, and 716.42 of the Inner Clement Street Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new wine and beer bar uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1SPECIAL ORDER 3:30 P.M - Recognition of Commendations

FONTSIZE= +1Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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Supervisor Alioto-Pier, welcomed, introduced and presented a Certificate of Honor to Bruce Billingham.

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Recess

The Board recessed at the hour of 3:39 p.m.

Reconvening of the Board

The Board reconvened at the hour of 4:07 p.m.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval - 10

Supervisor McGoldrick was previously excused from attendance.

FONTSIZE= +1SPECIAL ORDER 4:00 P.M.

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071248 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 700 Valencia Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on August 30, 2007, approving a Final Mitigated Negative Declaration (File Number 2005.0351E) for the proposed development at 700 Valencia Street. The proposal would demolish an existing vacant former used auto dealership and construct a five-story, 50 foot-tall mixed-use building of approximately 22,662 square feet containing nine dwelling units, nine parking spaces and one commercial unit. The project site is located at 700 Valencia Street, on the southwest corner of Valencia and 18th Streets in the Mission neighborhood (Assessor's Block 3588, Lot 001). (Appellant: Kim Malcheski on behalf of the Mission Anti-displacement Coalition.)

(Filed September 14, 2007; companion measure to File 071249, 071250, 071251; District 8.)

The President inquired as to whether any member of the public wished to address the members of the Board.

Ms. Ledbetter; Requested a continuance to December 11, 2007.

Robert Koeller; support of a continuance for the appellant

Alice Barkley; Attorney for project sponsor opposed to a continuance

John Conner; Project sponsor

Sean Keighran; support of the project sponsor

Silvia Johnson; support of the appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

FONTSIZE= +1(Only one of the following two motions should be approved.)

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071249 [Affirming adoption of the Final Mitigated Declaration for the 700 Valencia Street Project]

Motion affirming Planning Commission adoption of the Final Mitigated Negative Declaration for 700 Valencia Street.

Enacted Number: M07-138

Supervisor Dufty, seconded by Supervisor Sandoval, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Elsbernd, Chu, Maxwell, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Daly, Mirkarimi
Excused: 1 - McGoldrick

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071250 [Reversing adoption of the Final Mitigated Negative Declaration for the 700 Valencia Street Project]

Motion reversing the Planning Commission adoption of the Final Mitigated Negative Declaration for 700 Valencia Street.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Elsbernd, Chu, Maxwell, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Daly, Mirkarimi
Excused: 1 - McGoldrick

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071251 [Preparation of findings to reverse adoption of the Final Mitigated Negative Declaration for 700 Valencia Street]

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the Final Mitigated Negative Declaration for 700 Valencia Street.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Dufty, Elsbernd, Chu, Maxwell, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Daly, Mirkarimi
Excused: 1 - McGoldrick

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FONTSIZE= +1SPECIAL ORDER 4:30 P.M.

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071319 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 376 Eureka Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 2, 2007, Case No. 2005.0365E, exempting from environmental review under Categorical Exemption Class 1 [State CEQA Guidelines, Sections 15301(a) and (e)]. The project would expand an existing one-story-plus attic, 1,056-square-foot single-family dwelling and minor alterations to an accessory rear one-story-plus-attic, 300-square-foot cottage on an approximately 3,250-square-foot lot. The proposed expansion consists of a two-story, approximately 24-foot-high, 22-foot-deep addition to the rear of the dwelling, which would add approximately 1,020 square feet of habitable area. In addition, the project includes raising the dwelling by 2 feet and constructing an approximately 800-square-foot below-grade garage and basement area increasing the building height from 16-1/2 feet to 18-1/2 feet. The existing front set back of 11-1/2 feet would not change. In addition, the proposal would alter an accessory rear one-story-plus-attic, 300-square foot cottage by removing a kitchen. The project site (Assessor's Block 2749, Lot 017) is within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. (Appellant: F. Joseph Butler, AIA, on behalf of Susan Lally and Priscilla Botsford)

(Filed September 14, 2007; companion measure to 071320, 071321, 071322; District 8.)

The President inquired as to whether any member wished to address the members of the Board.

Continued to November 13, 2007

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else *raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

Continued to November 13, 2007

FONTSIZE= +1(Only one of the following two motions should be approved.)

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071320 **[Affirming the Categorical Exemption issued for the 376 Eureka Street Project]**

Motion affirming the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 13, 2007

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071321 **[Disapproving the Categorical Exemption issued for the 376 Eureka Street Project]**

Motion disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 13, 2007

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071322 **[Preparation of findings related to the 376 Eureka Street Project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 376 Eureka Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 13, 2007

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1COMMITTEE REPORTS

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071411 **[Settlement of Lawsuit - Robert Kellogg, Jr.]**

Ordinance authorizing settlement of the lawsuit filed by Robert Kellogg, Jr., against the City and County of San Francisco and Philip J. Welsh for $150,000; the lawsuit was filed on January 6, 2006 in San Francisco Superior, Case No. 446-493; entitled Robert Kellogg, Jr. v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1ROLL CALL FOR INTRODUCTIONS

FONTSIZE= +1PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

James Chaffee; expressed concern with issues relating to the SF Public Library

Female speaker; expressed concern with issues relating to the Mayor's investments in local enterprises

Katie Mulligan, Assessor/Recorder Office; expressed concern with issues relating to the mortgage foreclusures and provided an update from the Assessor/Recorders Office relating to this matter

Male speaker; expressed concern with issues related to the Recreation and Park General Manager

Abdula Megahed; expressed concern with issues relating to the homeless

Eugene Gordon, Jr.; expressed concern with issues relating to the violation of human rights

Female speaker; expressed concern with issues relating to traffic and parking problems

Richard McCary; expressed concern with issues relating to the planning designs of buildings in San Francisco

Male speaker; expressed concern with issues relating to the homelessness of Abdula Megahed and the tragedy of the fires in Southern California

Douglas Yep; welcomed Supervisor Chu and expressed concern with issues relating to St. Luke's Hospital and SF General Hospital

Silvia Johnson; expressed concern with issues relating to general issues

Jim Adams; expressed concern with issues relating to discrimination existing in the USA

Female speaker; expressed concern with issues relating to homeless individuals

Richard Robinson; expressed concern with issues relating to homeless individuals

Laura; expressed concern with issues relating to Michael Savage

Male speaker; expressed concern with issues relating to Burma injustices

Male speaker; expressed concern with issues relating to rent and evictions

FONTSIZE= +1FOR ADOPTION WITHOUT COMMITTEE REFERENCE

This measure was introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

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071440 [Urging Wooden Windows and the Carpenters Union Local 2236 work together to find resolution to labor disputes] **Supervisors Ammiano, Dufty**

Resolution urging Wooden Windows and the Carpenters Union Local 2236 to work together to find resolution to labor disputes and acknowledging recent events surrounding such disputes.

Enacted Number: 576-07

ADOPTED

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071442 [Urging the adoption of October 27, 2007 as "End The War in Iraq" Day in San Francisco] **Supervisors Ammiano, Mirkarimi**

Resolution urging the Board of Supervisors to designate October 27, 2007 as "End The War in Iraq" Day in San Francisco and to endorse the march and rally that are scheduled to commence on October 27, 2007.

Supervisor Mirkarimi requested to be added as a co-sponosr.

Enacted Number: 573-07

ADOPTED

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071443 [Urging the Mayor and Board of Supervisors provide city funding for the first annual Central American "Festival de los Volcanes"] **Supervisor Ammiano**

Resolution urging the Mayor and Board of Supervisors to recognize November 4th, 2007 Central American Peoples Day, and to acknowledge Central American Resource Center's (CARECEN) contributions in organizing first annual Central American Community "Festival de los Volcanes" which celebrates the historical presence and contributions of Central Americans to San Francisco.

Enacted Number: 575-07

ADOPTED

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071445 [Commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2007] **Supervisor Dufty**

Resolution commending Respiratory Care Workers for their Contributions to the Medical Community and Recognizing Respiratory Care Week 2007.

Enacted Number: 574-07

ADOPTED

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071447 [Commending Warren Hellman and the Hardly Strictly Bluegrass Festival] **Supervisors Peskin, Dufty, Mirkarimi, Elsbernd**

Resolution commending Warren Hellman for his hard work and generosity in presenting the Hardly Strictly Bluegrass music festival in San Francisco for the last six years.

Supervisors Mirkarimi and Elsbernd requested to be added as co-sponsors.

Enacted Number: 572-07

ADOPTED

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071448 [Commending Vice President Al Gore for winning the Nobel Peace Prize for his efforts to combat global warming] **Supervisors Alioto-Pier, McGoldrick**

Resolution commending Vice President Al Gore for winning the Nobel Peace Prize for his efforts to combat global warming.

Enacted Number: 571-07

ADOPTED

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071453 **[Final Map 4341 - 725 Pine Street]**

Motion approving Final Map 4341, a 22 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 725 Pine Street being a subdivision of Lot 001C in Assessors Block No. 0272 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 177,168, District 3.)

Enacted Number: M07-137

APPROVED

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The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

FONTSIZE= +1Severed from Without Reference to Committee Agenda

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

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071441 **[Urging banks to work with the City to address the affects of subprime lending and calling on the Federal Reserve to take action at the national level to end predatory loan practices]** **Supervisor Ammiano**

Resolution urging banks to work with the City to address foreclosures and subprime loan practices; calling on the Federal Reserve to prohibit loans at unaffordable rates, end the misuses of stated loans, eliminate prepayment penalties, and designate failure to escrow taxes and insurance in subprime loans as a deceptive practice.

Supervisor Ammiano requested that this matter be referred to Committee.

(Requested to be heard with Files Nos. 071419 and 071446.

File No. 071419 is currently pending in the Land Use and Economic Development Committee.)

REFERRED to the Land Use and Economic Development Committee.

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Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

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071444 **[Urging neighboring nations and major investors to defend peaceful pro-democracy demonstrators in Burma]** **Supervisors Ammiano, Mirkarimi, Daly**

Resolution Urging the Governments of China, India, Thailand, Korea, Japan, and of the United States, as well as the Chevron and Daewoo Corporations to Take Action in Defense of Peaceful Pro-Democracy Demonstrators in Burma.

Amended on page 3, line 16, after "to" by inserting "San Francisco's Congressional delegation with requests to forward the resolution to the governments"

Supervisors Mirkarimi and Daly requested to be added as co-sponsors.

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

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071446 **[Urging the Mayor's Office of Housing to develop a homeownership preservation plan]** **Supervisor Sandoval**

Resolution urging the Mayor's Office of Housing to create an emergency fund to prevent foreclosures and preserve home ownership.

Supervisor Elsbernd requested that this matter be referred to Committee.

(Requested to be heard with Files Nos. 071419 and 071441.

File No. 071419 is currently pending in the Land Use and Economic Development Committee.)

REFERRED to the Land Use and Economic Development Committee.

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Supervisor Daly requested that this matter be severed so that it might be considered separately.

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071449 **[Acceptance of the gift related to the improvement of a portion of the Lyon Street** **Supervisor Alioto-Pier**

Stairs]

Resolution acknowledging and accepting Richard C. Blum's gift to refurbish a portion of the Lyon Street Stairs and dedicating these improvements to public use.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the Land Use and Economic Development Committee.

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Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

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071450 [Urging the Attorney General to clarify how Penal Code 3003 and the transient provision in Penal Code Section 290 apply to Jessica's Law (Proposition 83)] Supervisor McGoldrick

Resolution condemning the current policy of the California Department of Corrections and Rehabilitation of advising parolees who are unable to secure housing compliant with Proposition 83 ("Jessica's Law") to declare transience in order to avoid incarceration.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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Resolution urging the Attorney General to clarify how Penal Code 3003 and the transient provision of Penal Code 290 apply to Jessica's Law (Proposition 83).

Continued as amended to October 30, 2007.

CONTINUED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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Supervisor Daly requested that this matter be severed so that it might be considered separately.

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071451 [Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of federal homeland security funds] Supervisor Alioto-Pier

Resolution authorizing City and County officials to enter into a Memorandum of Understanding that (1) establishes procedures for application, allocation and distribution of federal Urban Areas Security Initiative Program grant funds for fiscal year 2007 and future fiscal years, (2) continues an Urban Area Working Group with other Bay Area governmental entities, and (3) continues San Francisco as the primary grantee and fiscal agent for Urban Areas Security Initiative Program grant funds; further authorizing designated City and County officials to negotiate, execute and file on behalf of the City and County of San Francisco any and all agreements and documents and to take any other action necessary to apply for and receive grant funds under the Federal Urban Areas Security Initiatives Program.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the Land Use and Economic Development Committee.

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FONTSIZE= +1IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

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[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the purely commendatory finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

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071463 [Celebrating the 150th anniversary of the founding of the Slavonic Mutual and Benevolent Society] Supervisor Sandoval

Resolution commending the Croatian American Cultural Center, Home of the Slavonic Mutual and Benevolent Society, on the occasion of its sesquicentennial anniversary.

Enacted Number: 570-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Chu, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

FONTSIZE= +1OFF-AGENDA LEGISLATION

FONTSIZE= +1Introduced by Supervisors or Mayor

FONTSIZE= +1Ordinances

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071464 **[Zoning - Ordinance creating the Excelsior Alcohol Restricted Use District and the North Beach Alcohol Restricted Use District]** **Supervisors Sandoval, Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; adding Section 786 to create a North Beach Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks fronting both sides of Mission Street from Silver Avenue to the Daly City border; amending Section Map SU 01 to establish the boundaries of the North Beach Alcohol Restricted Use District, which consists of the properties within the North Beach Neighborhood Commercial District; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/23/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

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071467 **[Public Employment]** **Supervisors Peskin, Maxwell, Sandoval**

Draft Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the deletion of all positions, except class 0962 - Department Head II, at the Department of the Environment.

10/23/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. 10/31/07 - Referred to City Attorney for approval as to form.

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071469 **[Accept-Expend Federal Grant - Sheriff's Department]** **Supervisor Alioto-Pier**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of a .50 FTE 8420 Program Rehabilitation Services Coordinator in the Sheriff's Department, and a .50 FTE 2586 Health Worker II and .50 FTE 2803 Epidemiologist in the Department of Public Health, and authorizing the Sheriff's Department to accept and expend a 12-month grant in the amount of $391,556 from the U.S. Department of Health and Human Services for the Women's Integrated Skills (WISH) Project.

10/23/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

FONTSIZE= +1Resolutions

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071058 [Support for development of City-controlled electric generation project] Supervisors Maxwell, Dufty, Ammiano, Peskin

Resolution supporting the Combustion Turbine project proposed by the Public Utilities Commission for the development of a City-controlled combustion turbine project to promote the goals of the City's Electricity Resource Plan, and endorsing the financial term sheet for the CT project.

7/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/24/07, REFERRED to Land Use and Economic Development Committee. Supervisor Daly requested that this matter be referred to Committee. Supervisors Dufty and Ammiano requested to be added as co-sponsors.

10/23/07, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing new title.

10/23/07, ASSIGNED to Land Use and Economic Development Committee.

FONTSIZE= +1

071463 [Celebrating the 150th anniversary of the founding of the Slavonic Mutual and Benevolent Society] Supervisor Sandoval

Resolution commending the Croatian American Cultural Center, Home of the Slavonic Mutual and Benevolent Society, on the occasion of its sesquicentennial anniversary.

10/23/07, ADOPTED.

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071465 [Directing the controller transfer funds that were previously budgeted for the Office of the Legislative Analyst to the Budget Analyst] Supervisors Sandoval, Mirkarimi, Peskin

Resolution directing the controller to transfer funds that were previously budgeted for the Office of the Legislative Analyst to the Budget Analyst for actuary services.

10/23/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071466 [Funding Agreement for 2007 Spare the Air Campaign] Supervisor Ammiano

Resolution approving the Funding Agreement between the Metropolitan Transportation Commission and the City and County of San Francisco for the 2007 Spare the Air/Free

Transit campaign.
10/23/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

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071468 [Confirmation - San Francisco Redevelopment Agency] Mayor

Resolution confirming the appointment of Richard Swig by the Mayor to the San Francisco Redevelopment Agency.
10/23/07, RECEIVED AND ASSIGNED to Rules Committee.

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071470 [State grants to fund food and agricultural projects] Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend three grants totaling $2,877.43, from the California Department of Food and Agriculture (CDFA); for the period of July 1, 2007 through June 30, 2008.
10/23/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

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071472 [Declaring November 14, 2007 as World Diabetes Day in the City and County of San Francisco] Supervisors Dufty, Peskin, Elsbernd

Resolution declaring November 14, 2007 as World Diabetes Day in the City and County of San Francisco.
10/23/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071473 [Accept and expend gift in the amount of $50,000] Supervisor Chu

Resolution retroactively accepting and expending a gift in the amount of $50,000 from the San Francisco Parks Trust.
10/23/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071474 [Accept and expend gift in the amount of $25,000] Supervisor Chu

Resolution accepting and expending an estate bequest gift of $25,000 from the estate of Dr. Dorothee Haken to the Recreation and Park Department for the San Francisco Botanical Garden.
10/23/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071475 [Landmark designation nomination for tree Supervisor Ammiano

located in Bernal Heights Natural Area]

Resolution of intent initiating the nomination of the Blue Elderberry Tree (Sambucus mexicana) located at Folsom Street and Bernal Heights Boulevard in Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

10/23/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071476 **[Landmark designation nomination for tree located at 3555 Cesar Chavez Street]** **Supervisor Ammiano**

Resolution of intent initiating the nomination of the Moreton Bay Fig tree (Ficus macrophylla) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

10/23/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071477 **[Landmark designation nomination for two trees located at 500 Cortland Street in front of Bernal Heights Library]** **Supervisor Ammiano**

Resolution of intent initiating the nomination of two Flowering Ash trees (Fraxinus ornus) located at 500 Cortland Street, in front of Bernal Heights Library (Assessor's Bock 5707, Lot 027) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

10/23/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071478 **[Catholic Charities CYO]** **Supervisors Peskin, Elsbernd**

Resolution commending Catholic Charities CYO for 100 Years of Service.

10/23/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

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071479 **[Urging Speaker Nancy Pelosi to continue to support and immediately schedule a vote on HR 106, which reaffirms the proper recognition of the Armenian genocide]** **Supervisors Peskin, Dufty, Daly, Maxwell, Elsbernd, Mirkarimi, Ammiano, Sandoval, McGoldrick, Chu**

Resolution urging Speaker Nancy Pelosi to continue to support and immediately schedule a vote on House Resolution 106, which reaffirms the U.S. record of the Armenian Genocide.

10/23/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

FONTSIZE= +1Charter Amendment

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071471 **[Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records** **Supervisor Alioto-Pier**

Charter Amendment (First Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

10/23/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 11/26/2007.

FONTSIZE= +1PROPOSED ORDINANCES

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071417 **[Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for $30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of $30,000, that payment of $15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of $15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible. (City Attorney)

10/12/07, RECEIVED AND ASSIGNED to Rules Committee.

FONTSIZE= +1PROPOSED RESOLUTIONS

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071418 **[Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application by the deadline of November 5, 2007, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2008 through February 28, 2009, with an expected amount of approximately $36,118,233 in funding for the San Francisco Eligible Metropolitan Area (EMA). (Public Health Department)

10/12/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

FONTSIZE= +1PROPOSED MOTIONS

FONTSIZE= +1Requests Granted

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: Requests that the City Attorney prepare legislation amending the City Administrative Code to create an Office of Special Events pursuant to recommendations in the report from the Controller's Office and of the Legislative Analyst.

In addition, requests that the Controller's report and recommendations for the Office of Special Events be sent to the Entertainment Commission and scheduled for a hearing at the Entertainment Commission. Also requests that the Controller's report be sent to the Citizen's Advisory Committee for Grants for the Arts and San Francisco's Convention and Visitor's Bureau for their reaction and comment to the Controller's recommendation on establishing an Office of Special Events.

From: Supervisor Daly

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requests that the Municipal Transportation Agency provide to the Clerk of the Board an analysis of hires, promotions, and disciplinary action within the MTA broken down by race and ethnicity for each separate department and division of the Municipal Transportation Authority.

From: Supervisor Alioto-Pier

To: City Attorney

Requesting/Inquiring: As we are aware, climate change presents a serious threat to San Francisco in a myriad of ways. One way to locally combat carbon emissions that are contributing to overall global warming and its devastating effects is to require the San Francisco Public Utilities Commission to make certain that our public schools meet their energy needs through solar power. Thus, I am introducing a request that the City Attorney draft a resolution urging the SFPUC and the SFUSD to enter into a Memorandum of Understanding to undertake an audit program to evaluate power and water use and requirements of the SFUSD facilities. The purpose of the audit is

FONTSIZE= +1In Memoriams

Charles W. Mosser - Supervisor Elsbernd
Loretta Serventi - Supervisor Elsbernd

Jack H. Maddan Sr. - Supervisor Elsbernd

Robert F. Neil - Supervisor Elsbernd

Soo Ying Chung - Supervisor Peskin

Jim Rivaldo - Supervisors Dufty, Ammiano

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FONTSIZE= +1ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:32 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 13, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383 For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Disability access

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Board of Supervisors

October 30, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, October 30, 2007

2:00 PM

Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all members were noted present.

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved to approve Board Meeting Minutes for October 2, 2007. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

071326 [Public Employment - Department of Public Health]

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 34.95 positions in the Department of Public Health pursuant to Ordinance 162-07 (Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union Local 790 Staff and Per Diem Nurses) and Ordinance 164-07 (Memorandum of Understanding between the City and County of San Francisco and the Freight Checkers, Clerical Employees and Helpers Local 856 Supervising Registered Nurses Unit 11.B) using funding from the Salaries and Benefits Reserve as appropriated in Ordinance 174-07 (Consolidated Budget and Annual Appropriation Ordinance for Fiscal Year Ending June 30, 2008). (Human Resources Department)

(Fiscal Impact.)

Enacted Number: 248-07

FINALLY PASSED

071329 [Amending and Repealing Cash Revolving Funds and Cash Revolving Accounts]

Ordinance amending and repealing various sections of Article XV, Part I of the San Francisco Municipal Code (Administrative Code), which established cash revolving funds and cash revolving accounts for the City and County of San Francisco departments. (Controller)

Enacted Number: 249-07

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

070851 [Polk Street Neighborhood Commercial District Zoning Controls] **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 121.2 to move

Polk Street from a 3,000 square foot lot size limit to a 2,000 square foot lot size limit and by amending Section 723 to provide that commercial and institutional uses in the Polk Street Neighborhood Commercial District are permitted up to 1,999 square feet and allowed as a conditional use for 2,000 square feet and above; adopting findings, including Section 302 findings, environmental findings, and findings of consistency with Section 101.1 and the General Plan.

Enacted Number: 251-07

FINALLY PASSED

070738 [Planning - Inner Clement Street Neighborhood Commercial District - full-service restaurants and bars] **Supervisor McGoldrick**

Ordinance amending Planning Code Sections 716.1, 716.41, and 716.42 of the Inner Clement Street Neighborhood Commercial District to provide for a limited number of new full-service restaurants and new wine and beer bar uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 250-07

FINALLY PASSED

071234 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.
STOP SIGNS - ESTABLISH
25th Street and Minnesota Street, stopping Minnesota Street, making this uncontrolled intersection a two-way STOP;
Hampshire at 17th Street, stopping Hampshire Street, the stem of this T-intersection;
Cesar Chavez Street at Castro Street, stopping Cesar Chavez Street, making this uncontrolled intersection a two-way STOP;
Edna Street at Joost Avenue, stopping Edna Street, the stem of this T-intersection;
Ankeny Street and Ordway Way, stopping Ankeny Street, making this intersection an All-Way STOP; and,
Hudson Avenue at Cashmere Street, stopping Hudson Avenue, making this intersection an All-Way STOP. (Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

Enacted Number: 618-07

ADOPTED

071235 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.
NO LEFT TURN, 4 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Masonic Avenue, northbound and southbound, at Turk Street (extending turn restriction time from 6 PM to 7 PM).
NO LEFT TURN - ESTABLISH
13th Street at Harrison Street, eastbound (Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

Enacted Number: 616-07

ADOPTED

071324 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.
NO LEFT TURN, 7 AM TO 7 PM, EVERYDAY EXCEPT BUSES AND TAXIS - ESTABLISH
5th Street, southbound, at Mission Street.

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

Enacted Number: 598-07

ADOPTED

071236 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.
2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
10th Street, west side, between Bryant Street and Division Street.
PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 2 (2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
11th Street, both sides, between Market and Mission Streets.
PARKING METERS (AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Clay Street, south side, from 106 feet west of Webster Street to 73 feet east of Fillmore Street.
ANGLE (45-DEGREE) PARKING - RESCIND
20th Avenue, east side, from Ortega Street to 144 feet southerly.
RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH
Colin P. Kelly Jr. Street, east side, between Brannan Street and Townsend Street, adding 2 Townsend Street to Residential Permit Parking Area Y.
2 HOUR SIGNED PARKING TIME LIMIT - RESCIND
PARKING METERS (AREA 1, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Brannan and Townsend Streets, between 2nd Street and Colin P. Kelly Jr. Street.
NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Leavenworth Street, west side, between Lombard Street and Greenwich Street;
Lombard Street, south side, between Leavenworth and Jones Streets.
PARKING METER AREA NO. 2 (1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Stevenson Street, north side, from 7th Street to western terminus.
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
7th Street, west side, from Stevenson Street to 62 feet southerly;
7th Street, west side, from 128 feet south of Stevenson to Mission Street (248-foot zone);
Mission Street, north side, from 308 feet west of 7th Street to 38 feet westerly.
PASSENGER LOADING ZONE, 6 AM TO 7 PM, MONDAY THROUGH FRIDAY, TOW-AWAY NO STOPPING ALL OTHER TIMES -- ESTABLISH
7th Street, west side, from 62 feet south of Stevenson to 128 feet southerly (66-foot zone).
YELLOW LOADING ZONE, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY, TOW AWAY NO STOPPING ALL OTHER TIMES -- ESTABLISH
Mission Street, north side, from 111 feet west of 7th Street to 197 feet westerly (4 meters).
(Parking and Traffic Department)

(8/8/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3399.)

Enacted Number: 599-07
ADOPTED

071289 [STOP Intersections] **Supervisor Alioto-Pier**

Resolution designating certain intersections as "STOP" intersections.
STOP SIGNS - ESTABLISH
Alhambra Street and Mallorca Way, stopping Alhambra Street, making this intersection an all-way STOP.

Enacted Number: 600-07
ADOPTED

071323 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.
STOP SIGNS - ESTABLISH
20th Avenue and Moraga Street, stopping 20th Avenue, making this intersection an All-Way STOP;
Pacheco Street at 41st Avenue, stopping the stem of this currently uncontrolled T-intersection;
Both ends of Dormitory Road at Northridge Road/Jerrold Avenue and at Kiska Road/Kirkwood Avenue, stopping the stem of these currently uncontrolled T-intersections.
(Parking and Traffic Department)

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

Enacted 601-07

Number:
ADOPTED

071325 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.
RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
1550 - 1562 22nd Street (includes these addresses to be eligible for Area "X" permits, but no signs will be posted on the street).
RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Ivy Street, both sides, between Buchanan and Webster Streets (signs will only be posted on the north side because of NPAT on the south side), and;
Webster Street, east side, between Ivy and Grove Streets.
TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Laurel Street, east side, between California Street and Mayfair Drive.
NO PARKING ANYTIME - RESCIND
Linden Street, north side, from 82 feet to 101 feet west of Gough Street.
COMPACT VEHICLES ONLY - ESTABLISH
Linden Street, north side, from 82 feet to 101 feet west of Gough Street.
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Linden Street, south side, from 40 feet to 136 feet west of Gough Street.
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Geary Boulevard, south side, Masonic Avenue frontage road to 70 feet westerly (removes parking meter #2703).
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Page Street, south side, from Laguna Street to 20 feet easterly; and,
Laguna Street, east side, from Page Street to 21 feet southerly.
2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Gough Street, east side, from Geary Boulevard to Ellis Street.
1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Gough Street, west side, from Eddy Street to Golden Gate Avenue.
TOW-AWAY, NO PARKING, 1 AM TO 6 AM, DAILY - ESTABLISH
Clementina Street, south side, from Gallagher Lane to 5th Street,
TOW-AWAY, NO PARKING, MIDNIGHT TO 6 AM, DAILY ESTABLISH
Gallagher Lane, west side, from 20 feet north of Clementina Street to Tehama Street; and,
Gallagher Lane, east side, from Clementina Street to 20 feet south of Tehama Street.
4-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, EXCEPT SATURDAY AND SUNDAY - ESTABLISH
San Bruno Avenue, east side, between 15th and Alameda Streets; and,
15th Street, both sides, between San Bruno and Vermont Streets. (Parking and Traffic Department)

(9/7/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3407.)

Enacted Number: 602-07
ADOPTED

Recommendation of the Public Safety Committee

071374 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)] **Supervisor Maxwell**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $200,000 from the Department of Justice (DOJ), Office of Justice Programs (OJP), FY2007 Weed and Seed Program for the purpose of supporting activities to prevent, control and reduce violent crime, drug abuse, and gang activity in the designated Weed and Seed area in the Visitacion Valley neighborhood.

Enacted Number: 603-07

ADOPTED

Recommendations of the Rules Committee

071411 [Settlement of Lawsuit - Robert Kellogg, Jr.]

Ordinance authorizing settlement of the lawsuit filed by Robert Kellogg, Jr., against the City and County of San Francisco and Philip J. Welsh for $150,000; the lawsuit was filed on January 6, 2006 in San Francisco Superior, Case No. 446-493; entitled Robert Kellogg, Jr. v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 238-07

FINALLY PASSED

071412 [Settlement of Lawsuit - Mitchell Engineering/J. Fletcher Creamer & Son, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Mitchell Engineering/J. Fletcher Creamer & Son, Inc. against the City and County of San Francisco for $775,000; the lawsuit was filed on July 6, 2005 in San Joaquin County Superior Court, Case No. CV 026863; entitled Mitchell Engineering/J/ Fletcher Creamer & Son, Inc., et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

071384 [Settlement of Unlitigated Claim - PG&E]

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas & Electric against San Francisco for $238,594; claim was filed on June 19, 2007. (City Attorney)

Enacted Number: 604-07

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget & Finance Committee Without Recommendation

070961 **[Recreation and Park Commission-- Authorization to Modify Golf Course Hours and Fees; Creation of Golf Course Task Force]** **Supervisor McGoldrick**

Ordinance adding Section 12.46 to Article 12 of the San Francisco Park Code to authorize the Recreation and Park Commission to modify golf course hours and fees; and to create a Golf Course Task Force that will evaluate measures to reduce General Fund support for operation and maintenance of golf courses, and explore alternative revenue sources.

(Supervisor Dufty dissented in committee.)

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Ordinance be RE-REFERRED to the Budget and Finance Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the City Operations and Neighborhood Services Committee Without Recommendation

071258 **[Urging the Golden Gate Bridge, Highway and Transportation District to Oppose the Golden Gate Bridge Partnership Program]** **Supervisors McGoldrick, Maxwell, Mirkarimi**

Resolution urging the Golden Gate Bridge, Highway and Transportation District Board of Directors to Oppose the Golden Gate Bridge Partnership Program which would allow for the continued degradation of our public spaces by sanctioning, among other things, the placement of corporate logos on way-finding signage, posters, kiosks, and displays on Golden Gate Bridge property.

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071385 [Authorizing the Department of Telecommunications and Information Services to amend an agreement with CA, Inc. to extend the term of the agreement from ten years to twelve years and five

Resolution authorizing the Department of Telecommunications and Information Services ("DTIS") to retroactively enter into the Second Amendment of an agreement between the City and County of San Francisco ("City") and CA, Inc. ("CA") to extend term of the agreement to twelve years and five months with an additional option period for two additional one-year periods. (Telecommunications and Information Services)

(Fiscal Impact.)

Enacted Number: 605-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071395 [Multifamily Housing Revenue Bonds - Bishop Swing Community House] **Supervisor Daly**

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed $18,942,066 for the purpose of providing financing for a multifamily rental housing project to be known as Bishop Swing Community House; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a construction loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this resolution; and related matters.

Enacted Number: 606-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071401 [Support Goals for Federal Funding-Community Development Block Grant] **Supervisor Maxwell**

Resolution supporting Fiscal Year 2008-2009 Community Development Block Grant (CDBG) Action Plan Goals.

Enacted Number: 595-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071402 [Expend Federal Funding - Community Development Block Grant] **Supervisor Maxwell**

Resolution approving the expenditure of $137,728 of Community Development Block Grant funding.

Enacted Number: 607-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071435 [Authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal **Supervisor Peskin**

Resolution authorizing the Director of Public Works or his or her designee to request Cooperative Work Agreements from the California Department of Finance to extend the expiration dates for Federal and State transportation grants expiring on June 30, 2008.

Enacted Number: 591-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

071257 [San Francisco Fire Code]

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071274 [San Francisco Building Code]

Ordinance repealing the San Francisco Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071275 **[San Francisco Electrical Code]**

Ordinance repealing the San Francisco Electrical Code in its entirety and replacing that code with a new 2007 San Francisco Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071276 **[San Francisco Housing Code]**

Ordinance repealing the San Francisco Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071277 **[San Francisco Mechanical Code]**

Ordinance repealing the San Francisco Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071278 **[San Francisco Plumbing Code]**

Ordinance repealing the San Francisco Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071015 [Rescind One Hour Meters and Establish Two Hour Meters on 1900 Polk Street] **Supervisor Peskin**

Resolution rescinding one hour meters and establishing two hour meters on the 1900 Block of Polk Street.
PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 1-HOUR PARKING - RESCIND
PARKING METER AREA 3, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR PARKING - ESTABLISH

1900 block of Polk Street, both sides, between Jackson and Pacific Streets.

(No Economic Impact)

Enacted Number: 593-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071409 [Street Artist Winter Holiday Spaces] **Supervisor Dufty**

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2007, beginning on November 15, 2007 and ending on January 15, 2008. (Arts Commission)

Enacted Number: 608-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

070410 [San Francisco Bonding Program] **Supervisor Mirkarimi**

Ordinance adding Article VIII to Article 20 of the San Francisco Administrative Code to create the San Francisco Bonding Program and to authorize the City to purchase bonds for employers who agree to hire hard-to-place employees.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance amending Chapter 30 of the San Francisco Administrative Code to add Article II thereto to create the San Francisco Bonding Program and to authorize the City to purchase bonds for employers who agree to hire hard-to-place employees.

Continued as amended to November 13, 2007

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED AS AMENDED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

070946 **[Amending the Rules of Order Governing the Board of Supervisors]** **Supervisors Alioto-Pier, Dufty**

Motion to amend the Rules of Order Governing the Board of Supervisors.

(No Economic Impact)

NOT APPROVED by the following vote:
Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, Sandoval
Noes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 3:30 P.M.

070967 **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 1166 Haight Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works, by its letter dated June 13, 2007, approving a request of Minor Sidewalk Encroachment Permit to construct a warped driveway ramp and two (2) planter boxes to encroach 3'-0" into the public sidewalk right-of-way (25% of the sidewalk width as allowed by Article 15, Section 723.2 of the Public Works Code) fronting the property at 1166 Haight Street to provide access to a proposed garage below grade. (Appellant: Raquel Fox.)

(Filed June 28, 2007; companion measure to Files 070968, 070969; District 5.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 15, 2008

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors *at, or prior to, the public hearing.*

(Only one of the following two motions should be approved.)

070968 **[Minor Sidewalk Encroachment Permit Appeal]**

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the Encroachment Permit.

Continued to January 15, 2008

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070969 **[Minor Sidewalk Encroachment Permit Appeal]**

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 1166 Haight Street and denying the appeal.

Continued to January 15, 2008

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

070910 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.

(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to November 13, 2007

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 13, 2007

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070912 **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 13, 2007

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070913 **[Preparation of findings related to the 3424 Jackson Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to November 13, 2007

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

071439 [Confirmation of Director of Office of Citizen Complaints] **Mayor**

Motion confirming appointment of Joyce Hicks as Director of the Office of Citizen Complaints.

Enacted Number: M07-141

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071424 [Accept-expend State Grant Funds available under the California Cultural and Historical Endowment to fund the Palace of Fine Arts Rotunda Restoration Project] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant in the amount of $1,451,250 for the restoration of the Palace of Fine Arts Rotunda , under Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 administered by the California State Library, California Cultural and Historical Endowment.

Enacted Number: 592-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070617 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses] **Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 790.55, 790.102, 249.5, 781.8, 781.9, 782, 783, and 784 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - McGoldrick

071058 [Support for development of City-controlled electric generation project] **Supervisors Maxwell, Dufty, Ammiano, Peskin**

Resolution supporting the Combustion Turbine projects proposed by the Public Utilities Commission for the development of a City-controlled combustion turbine project to promote the goals of the City's Electricity Resource Plan, and endorsing the description of the transaction for the projects.

Supervisor McGoldrick was noted present at 2:31p.m.

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved to continue this matter to November 6, 2007.

Motion to continue this matter failed by the following vote:

Ayes: 5 - Alioto-Pier, Ammiano, Daly, McGoldrick, Sandoval

Noes: 6- Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:
Ayes: 8 - Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Daly, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdulah Megahed; expressed appreciation to the SF Fire Department and concern with issues relating to the homeless

James Chaffee; expressed concern with issues relating to the SF Public Library

Male speaker; expressed concern with issues relating topublic officials and with the management of the Recreation and Park Department

Silvia Johnson; expressed concern with general issues

Eugene Gordon Jr.; expressed concern with issues relating to the violation of human rights

H. Bagdarsarian; urged support of House Resolution 106 for the recognition of the Armenian Genocide

Richard Robinson; expressed concern with issues relating to housing

Male speaker; expressed concern with issues relating to the Ethics Commission

Richard Macrea; expressed concern with planning designs of buildings in San Francisco and embodied energy and growth in SF

Jose Morales; expressed concern with issues relating to the Ellis-Act and evictions and issues relating to children, seniors and low income individuals

Male speaker; expressed concern with issues relating a City Planning decision

Female speaker; expressed concern with issues relating a City Planning decision

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

This measure was introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

071450 [Urging the Attorney General to clarify how Penal Code 3003 and the transient provision in Penal Code Section 290 apply to Jessica's Law (Proposition 83)] **Supervisors McGoldrick, Alioto-Pier, Chu**

Resolution urging the Attorney General to clarify how Penal Code 3003 and the transient provision of Penal Code 290 apply to Jessica's Law (Proposition 83).

Supervisors Alioto-Pier and Chu requested to be added as co-sponsors.

Enacted Number: 596-07

ADOPTED

071472 [Declaring November 14, 2007 as World Diabetes Day in the City and County of San Francisco] **Supervisors Dufty, Peskin, Elsbernd**

Resolution declaring November 14, 2007 as World Diabetes Day in the City and County of San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 609-07

ADOPTED

071473 [Accept and expend gift in the amount of $50,000] **Supervisor Chu**

Resolution retroactively accepting and expending a gift in the amount of $50,000 from the San Francisco Parks Trust.

Enacted Number: 610-07

ADOPTED

071474 [Accept and expend gift in the amount of $25,000] Supervisor Chu

Resolution accepting and expending an estate bequest gift of $25,000 from the estate of Dr. Dorothee Haken to the Recreation and Park Department for the San Francisco Botanical Garden.

Enacted Number: 597-07

ADOPTED

071475 [Landmark designation nomination for tree located in Bernal Heights Natural Area] Supervisor Ammiano

Resolution of intent initiating the nomination of the Blue Elderberry Tree (Sambucus mexicana) located at Folsom Street and Bernal Heights Boulevard in Bernal Heights Natural Area (Assessor's Block 5548, Lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

Enacted Number: 611-07

ADOPTED

071476 [Landmark designation nomination for tree located at 3555 Cesar Chavez Street] Supervisor Ammiano

Resolution of intent initiating the nomination of the Moreton Bay Fig tree (Ficus macrophylla) located at 3555 Cesar Chavez Street (Assessor's Block 6575, Lot 002) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

Enacted Number: 612-07

ADOPTED

071477 [Landmark designation nomination for two trees located at 500 Cortland Street in front of Bernal Heights Library] Supervisor Ammiano

Resolution of intent initiating the nomination of two Flowering Ash trees (Fraxinus ornus) located at 500 Cortland Street, in front of Bernal Heights Library (Assessor's Bock 5707, Lot 027) for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging temporary designation pursuant to Public Works Section 810(d), and authorizing other official acts in furtherance of the Resolution.

Enacted Number: 613-07

ADOPTED

071478 [Catholic Charities CYO] Supervisors Peskin,

Elsbernd

Resolution commending Catholic Charities CYO for 100 Years of Service.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 614-07

ADOPTED

071479 [Urging Speaker Nancy Pelosi to continue to support and immediately schedule a vote on HR 106, which reaffirms the proper recognition of the Armenian genocide]

Supervisors Peskin, Dufty, Daly, Maxwell, Elsbernd, Mirkarimi, Ammiano, Sandoval, McGoldrick, Chu

Resolution urging Speaker Nancy Pelosi to continue to support and immediately schedule a vote on House Resolution 106, which reaffirms the U.S. record of the Armenian Genocide.

Enacted Number: 594-07

ADOPTED

071456 [Final Map - 4501 Irving Street]

Motion approving Final Map 2532, a 9 Unit Mixed-Use Condominium Project, located at 4501 Irving Street being a subdivision of Lot 052 in Assessors Block No. 1801 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 177,196; District 4)

Enacted Number: M07-139

APPROVED

071457 [Final Map - 1521 Sutter Street]

Motion approving Final Map 4083, a 28 Unit Residential Condominium Project, located at 1521 Sutter Street being a subdivision of Lot 020 in Assessors Block No. 0688 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,184; District 2)

Enacted Number: M07-140

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Dufty, moved ADOPTION the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071484 [Honoring John Consiglieri for his exceptional Balboa High School football legacy and recognizing his lifetime dedication to community service] **Supervisor Sandoval**

Resolution honoring John Consiglieri for his exceptional Balboa High School football legacy and recognizing his lifetime dedication to community service.

Enacted Number: 615-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071490 [Appropriating $525,000 of General Fund Reserve for partial year funding of the SF Promise program to Children, Youth and Their Families for Fiscal Year 2007-2008] **Supervisors Peskin, Dufty, Ammiano, Mirkarimi, Daly**

Ordinance appropriating $525,000 of General Fund Reserve to the Department of Children, Youth and Their Families for Fiscal Year 2007-2008 for partial year funding of the SF Promise program, which would guarantee a spot at San Francisco State University and provide college readiness activities for all 6th grade public school students in San Francisco.

(Fiscal Impact.)

10/30/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

070134 [Golden Gate Park-Authorization to Construct Skate Park] Supervisors Mirkarimi, Alioto-Pier

Ordinance making environmental findings and authorizing the creation of a skate park in the area known as "the horseshoe pits" pursuant to Charter Section 4.113.

1/30/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee.

2/5/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental determination.

8/17/07, FILED PURSUANT TO RULE 5.37.

10/30/07, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Mirkarimi requested this matter be reactivated.

10/30/07, ASSIGNED to City Operations and Neighborhood Services Committee.

071428 [Appropriating $5,000,000 of General Fund Reserve for Supportive Housing Projects for people who are homeless or at risk or homeless for Fiscal Year 2007-2008] Supervisor Daly

Ordinance appropriating $5,000,000 of General Fund Reserve to the Mayor's Office of Housing for supportive housing for persons, including but not limited to 18-24 year old youths exiting systems of care, who are extremely low income, currently homeless or at risk of homelessness living in shelters, or in tenuous living situations, for Fiscal Year 2007-2008 and reserving the funds pending review of expenditure plans by the Budget and Finance Committee.

(Fiscal Impact.)

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

10/30/07, ASSIGNED to Budget and Finance Committee.

10/30/07, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

070489 [Closing specified streets in Golden Gate Park on Saturdays] Supervisor McGoldrick

Ordinance amending Section 6.13 of the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from the first Saturday in April to the last Saturday in September; requesting development of an improvement plan for Middle Drive West between Transverse Drive and Metson Road; and making environmental findings.

4/16/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

4/18/07, REFERRED TO DEPARTMENT. Referred to Planning Department for CEQA findings.

10/30/07, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing the same title.

10/30/07, ASSIGNED to Land Use and Economic Development Committee.

071464 [Zoning - Ordinance creating the Excelsior Alcohol Restricted Use District and the North Beach Alcohol Restricted Use District] **Supervisors Sandoval, Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; adding Section 786 to create a North Beach Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks fronting both sides of Mission Street from Silver Avenue to the Daly City border; amending Section Map SU 01 to establish the boundaries of the North Beach Alcohol Restricted Use District, which consists of the properties within the North Beach Neighborhood Commercial District; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/23/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/30/07, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

10/30/07, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

071484 [Honoring John Consiglieri for his exceptional Balboa High School football legacy and recognizing his lifetime dedication to community service] **Supervisor Sandoval**

Resolution honoring John Consiglieri for his exceptional Balboa High School football legacy and recognizing his lifetime dedication to community service.

10/30/07, ADOPTED.

071489 [Opposing closure of St. Luke's Hospital] **Supervisors Mirkarimi, Ammiano, Maxwell**

Resolution opposing the plans of Sutter Health to cease operations at St. Luke's Hospital, requesting City Departments to identify pending applications sought in furtherance of such closure and report such applications; and requesting the City Attorney to investigate the actions taken by Sutter Health and initiate proceedings, if warranted, under relevant statutes.

10/30/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071491 [To allow San Francisco Fire Department (SFFD) to accept and expend the California Volunteers - Office of the Governor's Grant for Neighborhood Emergency Response Team (NERT) programs] **Supervisor Chu**

Resolution retroactively authorizing the San Francisco Fire Department (SFFD) to accept and expend a new grant in the amount of $75,095 from the California Volunteers - Office of the

Governor for the period of April 1, 2007 to January 31, 2008 to support the Neighborhood Emergency Response Team (NERT) in the development and sharing of innovative, promising, and best practices in Citizen Preparedness and Participation that address all volunteers in all phases in emergency management.
10/30/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071500 [Congratulating Rabbi Doug Kahn in honor of 25 years of service with the Jewish Community Relations Council] **Supervisors Dufty, Peskin, Chu**

Resolution congratulating Rabbi Doug Kahn in honor of his 25 years of service with the Jewish Community Relations Council.
10/30/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071501 [Opposing the Social Security Administration's "No-Match" Letters] **Supervisors Ammiano, Mirkarimi, Chu**

Resolution opposing the Social Security Administration's "No Match" letters which compel employers to take corrective action against workers whose names do not match their proffered Social Security numbers.
10/30/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071502 [Opposing the Employment Non Discrimination Act (ENDA) if gender protection is not included] **Supervisors Ammiano, Dufty, Mirkarimi**

Resolution opposing the Employment Non Discrimination Act (ENDA) if it does not include protections for gender identity, calling on elected leaders to introduce ENDA legislation with gender identity protections and calling on elected leaders to protect the rights of the LGBT community.
10/30/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071503 [Aer Lingus] **Supervisors Elsbernd, Alioto-Pier, Daly, Dufty, Mirkarimi, Chu**

Resolution commending the San Francisco - Cork City Sister City Committee for its work bringing Aer Lingus to SFO and commemorating October 28, 2007 as the inaugural date for direct service between San Francisco and Ireland.
10/30/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071504 [Accept-Expend Grant Funds - Recreation and Parks Department - $75,000] **Supervisor Elsbernd**

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $75,000 for the Golden Gate Park Spreckels Temple of Music Restoration awarded by the American Express Partners in Preservation Grant Program administered by the National Trust for Historical Preservation.
10/30/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071505 [Urging Medical Cannabis Dispensaries to implement compassionate care programs to serve low and no income patients] **Supervisor Mirkarimi**

Resolution urging Medical Cannabis Dispensaries to implement compassionate care programs to serve low and no income patients and provide receipts for medical services and consultation for patients to seek Medi-Cal reimbursement.

10/30/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071506 [Urging President George W. Bush to allow the United States to join the group of nations that ratify and agree to be bound by the United Nations Convention on the Rights of Person's with **Supervisor Alioto-Pier**

Resolution urging President George W. Bush to sign the United Nations Convention on the Rights of Persons with Disabilities and allow the United States to join the group of nations that have ratified and agreed to be bound by the Convention.

10/30/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

070040 [Department of Elections contract for new voting system]

Resolution approving the award and execution of a $12.6 million four-year contract by the City and County of San Francisco, through its Department of Elections, to Sequoia Voting Systems, Inc., for the purchase of a new voting system and provision of associated voting services. (Elections Department)

(Fiscal impact.)

1/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

9/11/07, FILED. Filed pursuant to Rule 5.37

10/30/07, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Peskin requested this matter be reactivated.

10/30/07, ASSIGNED to Budget and Finance Committee.

Requests for Hearing

071485 [Alternatives to the Proposed Combustion Turbine Project] **Supervisor Alioto-Pier**

Hearing on Alternatives to the Proposed Combustion Turbine Project. How can energy efficiency, demand response, and renewable power be used to close the Potrero Power Plant?

10/29/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071486 [Skilled Nursing Facility (SNF) waivers] **Supervisor Alioto-Pier**

Hearing on Skilled Nursing Facility (SNF) waivers. The hearing will investigate why and how to best utilize the waivers.

10/30/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/2/07 - Sent referral letter to the Small Business Commission.

071487 [Tenderloin Housing Clinic's use of city funds for lobbying purposes] **Supervisor Alioto-Pier**

Hearing to consider the Tenderloin Housing Clinic's use of city funds for lobbying purposes. The hearing will explore the propriety of the Tenderloin Housing Clinic's large lobbying budget and whether it is appropriate to spend government grant money and contract payments meant to serve the poor on lobbying expenses. Specifically the hearing will examine why, according to the most recent available IRS filings, the Tenderloin Housing Clinic spent $1.5 million out of their budget last year for lobbying purposes and $3.5 million on lobbying efforts during the last four years. Finally, the hearing will also examine THC's contracts with the Department of Human Services and other city departments to ascertain whether city funds are being improperly spent.

10/30/07, RECEIVED AND ASSIGNED to Rules Committee.

Motion

071499 [Authorizing preparation of Proponent/Opponent ballot argument and rebuttal ballot argument for submittal to the voters at the February 8, 2008 Election]

Motion authorizing preparation of written Proponent and Opponent ballot argument and rebuttal ballot argument for a bond measure approved by the Board of Supervisors for submittal to the voters at the February 8, 2008 Election. (Clerk of the Board)

10/30/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

071458 [Amendment to Contract for Electric Services]

Ordinance approving the amendment between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the performance of duties and obligations of a Scheduling Coordinator pursuant to the California Independent System Operator Tariff and for the delivery of low cost electric power to Treasure Island and Yerba Buena Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.19 of the San Francisco Administrative Code which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission)

(Fiscal Impact.)

10/16/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071459 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E")

against the City and County of San Francisco for $10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459. (City Attorney)

10/17/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

071460 [Easement Modification and Relocation Agreement - University of California Parnassus Heights Campus]

Resolution approving and authorizing the execution and delivery of an Easement Modification and Relocation Agreement between The Regents of the University of California ("University") and the City and County of San Francisco, acting by and through its Public Utilities Commission (collectively referred to hereafter as the "City"), authorizing the City's acceptance of a Modified and Restated Grant of Easement and Agreement For Expanded Storage Tank Easement, the City's quitclaim of the Existing Storage Tank Easement to the University, the City's acceptance of a Grant of Easement and Agreement For New Pump Station Easement and the City's quitclaim of the Existing Pump Station Easement to the University following completion of the Project; adopting findings of consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting environmental findings. (Real Estate Department)

10/18/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071461 [Approval of Lease No. GS-09B-02006 with the United States of America at San Francisco International Airport]

Resolution approving and authorizing the execution of Lease No. GS-09B-02006 with the United States of America for office space to be occupied by the Transportation Security Administration, a Federal agency, in the International Terminal of San Francisco International Airport. (Airport Commission)

10/19/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071462 [Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2007-08]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2007-08 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for Fiscal Year 2007-08. (Public Health Department)

10/19/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Requests Granted

From: Supervisor Daly

To: Mayor's Office

Requesting/Inquiring: Inquiring to the Mayor's Office regarding the decision to close the 16th Bart Station and Muni Metro Stations at Castro and Church on Halloween night: What was the deliberation to come up with this decision? Why was BART asked to close 16th/Mission (which is .9 miles from Market/Castro) when MUNI will keep open both the Duboce Park stop of the N-Judah (which is .5 miles from Market/Castro) and Market/Van Ness (1.2 miles from Market/Castro)? Who was consulted in the community and in government, including the MTA and BART Board commissions? What is the cost of this closure to the City and how is this being paid for? How was it that this closure was made without consulting the Supervisor who represents the district surrounding the stations? Why are we closing transit and not street to automobile traffic? From: Supervisor Elsbernd

To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft a motion that the Clerk calendar a closed session for the Board's meeting of November 20, 2007, during which the Board will meet with the City's Human Resources Director or her designee pursuant to Government Code section 54957.6 and San Francisco Administrative Code section 67.10(e) regarding a potential charter amendment to address the cost and funding of retiree medical benefits. From: Supervisor Elsbernd

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Inquiring into the possibility of installing vehicle speed reduction devices on Buckingham Way behind Stonestown mall. From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of planting a tree in an empty basin at the

In Memoriams

Eugene Prince Coleman - Entire Board

Harry Ichiro Nakamura - Supervisors Elsbernd and Mirkarimi

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:38 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 20, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Board of Supervisors

November 6, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, November 6, 2007

2:00 PM

Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll Supervisors Ammiano and Maxwell were noted absent.

There was a quorum present.

Supervisors Ammiano and Maxwell were noted present at 2:04 p.m.

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

071418 [Approval of the Ryan White HIV/AIDS Treatment Modernization Act grant application] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to submit an application by the deadline of November 5, 2007, to the Health Resources Services Administration (HRSA) to continue to receive funding for the Ryan White HIV/AIDS Treatment Modernization Act Grant (Ryan White Programs, Part A); for the next grant year, March 1, 2008 through February 28, 2009, with an expected amount of approximately $36,118,233 in funding for the San Francisco Eligible Metropolitan Area (EMA). (Public Health Department)

Enacted Number: 631-07

ADOPTED

071430 [Accept-Expend Private Foundation Grant - Back on Track Program] **Supervisor Dufty**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to accept and expend a grant in the amount of $25,000 from the Metta Fund Health Foundation for a program entitled "Back on Track" for fiscal year 2007/2008.

Enacted Number: 625-07

ADOPTED

Recommendations of the Land Use and Economic Development Committee

071257 [San Francisco Fire Code]

Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2007 San Francisco Fire Code consisting of the 2007 California Fire Code and portions of the 2006 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings. (Fire Department)

Enacted 259-07

Number:
FINALLY PASSED

071274 [San Francisco Building Code]

Ordinance repealing the San Francisco Building Code in its entirety and replacing that code with a new 2007 San Francisco Building Code consisting of the 2007 California Building Code, which is based upon the 2006 International Building Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

Enacted Number: 258-07
FINALLY PASSED

071275 [San Francisco Electrical Code]

Ordinance repealing the San Francisco Electrical Code in its entirety and replacing that code with a new 2007 San Francisco Electrical Code consisting of the 2007 California Electrical Code, which is based upon the 2005 National Electrical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

Enacted Number: 257-07
FINALLY PASSED

071276 [San Francisco Housing Code]

Ordinance repealing the San Francisco Housing Code in its entirety and replacing that code with a new 2007 San Francisco Housing Code to conform to the new numbering system of the 2007 California Building Code and to re-enact San Francisco's local amendments to the State Housing Code with minor changes; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

Enacted Number: 256-07
FINALLY PASSED

071277 [San Francisco Mechanical Code]

Ordinance repealing the San Francisco Mechanical Code in its entirety and replacing that code with a new 2007 San Francisco Mechanical Code consisting of the 2007 California Mechanical Code, which is based upon the 2006 Uniform Mechanical Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California

Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

Enacted Number: 255-07

FINALLY PASSED

071278 [San Francisco Plumbing Code]

Ordinance repealing the San Francisco Plumbing Code in its entirety and replacing that code with a new 2007 San Francisco Plumbing Code consisting of the 2007 California Plumbing Code, which is based upon the 2006 Uniform Plumbing Code, together with the San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board to forward San Francisco's amendments and findings to the California Building Standards Commission; and making environmental findings. (Building Inspection Department)

Enacted Number: 254-07

FINALLY PASSED

Recommendations of the Rules Committee

071412 [Settlement of Lawsuit - Mitchell Engineering/J. Fletcher Creamer & Son, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Mitchell Engineering/J. Fletcher Creamer & Son, Inc. against the City and County of San Francisco for $775,000; the lawsuit was filed on July 6, 2005 in San Joaquin County Superior Court, Case No. CV 026863; entitled Mitchell Engineering/J/ Fletcher Creamer & Son, Inc., et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 253-07

FINALLY PASSED

071455 [Appointment - Library Citizens Advisory Committee]

Resolution appointing Margaret Lee to the Library Citizens Advisory Committee.

Margaret Lee, succeeding Maryam Daryabegi-Far, seat 13, term expired, must be a member from the community at large, representative of New Americans for whom English is a second language, for the unexpired portion of a two-year term ending July 18, 2008.

Enacted Number: 626-07

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation from the Land Use and Economic Development Committee

070617 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses] **Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 790.55, 790.102, 249.5, 781.8, 781.9, 782, 783, and 784 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Supervisor Alioto-Pier, seconded by Supervisor Mirkarimi, requested to divide the question relating to adding on page 3, line 14, "(c) sell any single serving beer containers of 24 ounces or less."

See File No. 071532 for details.

Enacted Number: 260-07

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071532 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses] **Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 790.55 to further define grocery stores.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

071254 [Landmark Tree Designation of Coast Live Oak tree at 4124 - 23rd Street] **Supervisor Dufty**

Ordinance designating the Coast Live Oak tree at 4124 23rd Street (Assessor's Block 2803, Lot 3) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation. (Environment)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use and Economic Development Committee

071394 [Urging restoration of two-way traffic on Ellis and Eddy Streets] **Supervisor Daly**

Resolution urging the Municipal Transportation Agency to restore two-way traffic on the length of Eddy and Ellis Streets, to consolidate the Muni 31 and 27 routes onto Eddy Street, and to develop detailed plans and a phased implementation strategy for transportation and streetscape improvements to these streets to enhance their role as east-west pedestrian, bicycle, and transit corridors.

Enacted Number: 620-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071343 [Street encroachment sensu sculpture as a gateway icon for Japantown on Webster Street] **Supervisor Mirkarimi**

Ordinance granting revocable permission to the Japanese Cultural and Community Center of Northern California to occupy a portion of the public right-of-way for the installation of a sensu sculpture on the median of Webster Street between Geary Boulevard and Post Street in the Japantown neighborhood; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071432 [Street encroachment on Linden Street between Gough Street and Octavia Boulevard] **Supervisor Mirkarimi**

Ordinance granting revocable permission to 300 Linden LLC to occupy the public right-of-way to construct street encroachment improvements on a portion of Linden Street, an unaccepted public right-of-way, between Gough and Octavia Boulevard, including new landscaping, raised stamped and colored asphalt paving, ADA approved detectable warning material, raised planters and granite curbstones for seating; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section

101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071097 [Urging restoration of two-way traffic on Hayes Street] Supervisor Mirkarimi

Resolution urging the Municipal Transportation Agency to restore two-way traffic on the block of Hayes Street between Gough and Franklin streets, to restore the pedestrian crossing of Gough Street on the south side of Hayes Street, and develop a detailed plan and implementation strategy for streetscape improvements to the Hayes Valley Commercial District along Hayes Street between Franklin and Laguna streets.

Enacted Number: 619-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

071369 [Sweatfree Contracting Ordinance Amendments] Supervisor Ammiano

Ordinance amending Sections 12U.2, 12U.3, and 12U.9 of the Administrative Code, and adding Section 12U.9.5, to (1) provide a system for awarding contracts to a bidder or proposer most substantially in compliance, but not in full compliance, with the Sweatfree Contracting Ordinance, when no bids or proposals are in full compliance, but only where such awards would not increase the cost of the contract by more than fifteen percent; and (2) make other changes in the Sweatfree Contracting Ordinance, including revising and simplifying the monetary threshold triggering coverage of certain subcontracts; relaxing the ban on mandatory overtime; referencing retirement benefits in calculation of wages; and relaxing the requirement for contractors' providing information as to amounts to be paid to subcontractors by providing that amounts be reported within a monetary range rather than as an exact dollar figure.

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance amending Sections 12U.2, 12U.3, and 12U.9 of the Administrative Code, and adding Section 12U.9.5, to (1) provide a system for awarding contracts to a bidder or proposer most substantially in compliance, but not in full compliance, with the Sweatfree Contracting Ordinance, when no bids or proposals are in full compliance, but only where such awards would not increase the cost of the contract by more than fifteen percent; and (2) make other changes in the Sweatfree Contracting Ordinance, including relaxing the ban on mandatory overtime; referencing retirement benefits in calculation of wages; and relaxing the requirement for contractors' providing information as to amounts to be paid to subcontractors by providing that amounts be reported within a monetary range rather than as an exact dollar figure.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Daly assumed the Chair so the President could participate in the debate from the floor concerning the following item.

071003 **[Consolidating the Public Campaign Financing Programs for Mayor and Board of Supervisors]** **Supervisors Daly, Peskin**

Ordinance amending Sections 1.104, 1.108, 1.130, 1.134, 1.134.5, 1.136, 1.138, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and repealing Sections 1.138.5, 1.140.5 and 1.144.5 of the Campaign and Governmental Conduct Code to combine the separate partial public financing programs for candidates for the Board of Supervisors and candidates for Mayor into one partial public financing program and raising the expenditure ceiling for candidates for the Board of Supervisors to $140,000.

(No Economic Impact) (Supervisor Elsbernd dissented in Committee)

Supervisor Peskin added as a co-sponsor.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

071090 **[Regulation of False Political Telemarketing Through Persuasion Polls]** **Supervisors Daly, Ammiano, Mirkarimi**

Ordinance amending the Campaign and Governmental Conduct Code by adding Section 1.160.5 to require that persons conducting or paying for telephonic persuasion polls must disclose information to call recipients during the telephone calls and must file disclosures with the San Francisco Ethics Commission.

(Supervisor Elsbernd dissented in Committee)

PASSED ON FIRST READING by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

070672 **[Initiative Petition Circulator Identification Requirements]** **Supervisor Daly**

Ordinance amending the Municipal Elections Code by adding Section 335 to require initiative, recall and referendum petition circulators to display a badge disclosing whether they are volunteer or paid circulators and requiring circulators to disclose the name(s) of the proponents of the petition upon request.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

071221 **[Requiring meeting agendas of a policy body to include attendance records for members of the body]** **Supervisor Daly**

Ordinance amending Section 67.7 of the Administrative Code to require meeting agendas for a policy body to include attendance records for members of the body.

NOT PASSED ON FIRST READING by the following vote:
Ayes: 3 - Ammiano, Daly, Mirkarimi
Noes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval

071290 **[Filing of Mass Mailings Paid for with Independent Expenditures]** **Supervisor Daly**

Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.161 and repealing Section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission, and renumbering Section 1.162.5.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee Without Recommendation

071222 **[Amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision]** **Supervisor Daly**

Ordinance amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision.

Continued to November 20, 2007

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

SPECIAL ORDER

Board of Supervisors Sitting as a Committee of the Whole

071488 **[Public hearing relating to consideration and possible selection for outside Legal Counsel to advise and represent the Board of Supervisors in the official misconduct proceedings against**

Hearing to allow applicants to present their qualifications and allow members of the public to comment on applications submitted for providing services to the Board of Supervisors for the official misconduct proceedings against Supervisor Edmund Jew; possible selection by the Board of Supervisors, from one of the following two applicants, for outside Legal Counsel for said official misconduct proceedings.

Garcia Caleron Ruiz, LLP Robert Weisberg, Professor of Law

Continued to November 20, 2007

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to members of the San Francisco Police Department in recognition of their efforts in apprehension of a suspect in relation to an incident at Grace Cathedral.

Supervisor Alioto-Pier, introduced, welcomed and presented a Certificate of Honor to Perry Butler in recognition of his business, Perry's, located on Union Street.

COMMITTEE REPORTS

071495 [Consolidating the Public Campaign Financing Programs for Mayor and Board of Supervisors] **Supervisor Daly**

Ordinance amending Sections 1.104, 1.108, 1.130, 1.134, 1.134.5, 1.136, 1.138, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and repealing Sections 1.138.5, 1.140.5 and 1.144.5 of the Campaign and Governmental Conduct Code to combine the separate partial public financing programs for candidates for the Board of Supervisors and candidates for Mayor into one partial public financing program and raising the expenditure ceiling for candidates for the Board of Supervisors to $140,000.

Supervisor Daly, seconded by Supervisor Elsbernd, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071468 [Confirmation - San Francisco Redevelopment Agency] Mayor

Resolution confirming the appointment of Richard Swig by the Mayor to the San Francisco Redevelopment Agency.

Enacted Number: 627-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdulallah Megahed; expressed appreciation to Department of Elections for printing the voter information in three languages

James Chaffee; expressed concern with issues relating to the SF Public Library

Male speaker; expressed concern with issues relating to elected officials and the management of the Recreation and Park Department

Silvia Johnson; expressed concern with general issues

Eugene Gordon Jr.; expressed concern with issues relating to the violation of human rights

Rodney; expressed appreciation for the handling of the Halloween events

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

071500 [Congratulating Rabbi Doug Kahn in honor of 25 years of service with the Jewish Community Relations Council] **Supervisors Dufty, Peskin, Chu**

Resolution congratulating Rabbi Doug Kahn in honor of his 25 years of service with the Jewish Community Relations Council.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 628-07

ADOPTED

071501 [Opposing the Social Security Administration's "No-Match" Letters] **Supervisors Ammiano, Mirkarimi, Chu**

Resolution opposing the Social Security Administration's "No Match" letters which compel employers to take corrective action against workers whose names do not match their proffered Social Security numbers.

Supervisors Mirkarimi and Chu requested to be added as co-sponsors.

Enacted Number: 630-07

ADOPTED

071502 [Opposing the Employment Non Discrimination Act (ENDA) if gender protection is not included] **Supervisors Ammiano, Dufty, Mirkarimi**

Resolution opposing the Employment Non Discrimination Act (ENDA) if it does not include protections for gender identity, calling on elected leaders to introduce ENDA legislation with gender identity protections and calling on elected leaders to protect the rights of the LGBT community.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 621-07

ADOPTED

071503 [Aer Lingus] **Supervisors Elsbernd, Alioto-Pier, Daly, Dufty, Mirkarimi, Chu**

Resolution commending the San Francisco - Cork City Sister City Committee for its work bringing Aer Lingus to SFO and commemorating October 28, 2007 as the inaugural date for direct service between San Francisco and Ireland.

Supervisors Dufty, Mirkarimi and Chu requested to be added as co-sponsors.

Enacted Number: 622-07

ADOPTED

071505 [Urging Medical Cannabis Dispensaries to implement compassionate care programs to serve low and no income patients] **Supervisor Mirkarimi**

Resolution urging Medical Cannabis Dispensaries to implement compassionate care programs to serve low and no income patients and provide receipts for medical services and consultation for patients to seek Medi-Cal reimbursement.

Enacted Number: 623-07

ADOPTED

071506 [Urging President George W. Bush to allow the United States to join the group of nations that ratify and agree to be bound by the United Nations Convention on the Rights of Person's with **Supervisor Alioto-Pier**

Resolution urging President George W. Bush to sign the United Nations Convention on the Rights of Persons with Disabilities and allow the United States to join the group of nations that have ratified and agreed to be bound by the Convention.

Enacted Number: 624-07

ADOPTED

071499 [Authorizing preparation of Proponent/Opponent ballot argument and rebuttal ballot argument for submittal to the voters at the February 8, 2008 Election]

Motion authorizing preparation of written Proponent and Opponent ballot argument and rebuttal ballot argument for a bond measure approved by the Board of Supervisors for submittal to the voters at the February 8, 2008 Election. (Clerk of the Board)

Enacted Number: M07-143

APPROVED

071481 [Final Map - 55 Page Street]

Motion approving Final Map 3805, a 128 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 55 Page Street being a subdivision of Lot 009 in Assessors Block No. 0854 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,222; District 6)

Enacted Number: M07-142

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

Supervisor Daly was noted absent at 3:44 p.m.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

071515 **[Commemorating the 30th anniversary of the election of Harvey Milk to the Board of Supervisors of San Francisco]** **Supervisors Dufty, Ammiano**

Resolution commemorating the 30th anniversary of the election of Harvey Milk to the Board of Supervisors of San Francisco.

Enacted Number: 629-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071518 **[Standards of Care for City Shelters]** **Supervisor Ammiano**

Ordinance amending the San Francisco Administrative Code by adding a new Article 13 to Chapter 20 to require the City to: 1) include in all contracts for City-funded shelter services provisions relating to the standards of operation of the shelters and the contractual remedies for shelter operators' failure to comply with those standards, and 2) take corrective enforcement measures including seeking remedies for breach of contract against City-funded shelter operators that fail to comply with contractual provisions that this Article requires.

(Fiscal Impact.)

11/6/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/6/2007. 11/13/07 - Referred to the Small Business Commission for review and comment.

071519 **[Giving the Entertainment Commission and its Executive Director the new duties and responsibilities]** **Supervisors Dufty, Alioto-Pier**

Ordinance giving the Entertainment Commission and its Executive Director the following new duties and responsibilities: facilitating special events by coordinating permitting and other City support for such events; maintaining a master calendar of special events; creating a web site for special events; providing guidelines to other City departments on appropriate special event policies; working with the Entertainment Commission, Grants for the Arts, the Convention and Visitors Bureau, and the Mayor's Office of Protocol to support existing special events and attract new special events.
11/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071520 [Creates a Mayor's Office of Special Events to attract, create and promote special events] Supervisors Dufty, Alioto-Pier

Ordinance creating a Mayor's Office of Special Events with responsibility for organizing major special events, like Halloween, that have no private sponsor, facilitating privately-sponsored special events by coordinating permitting and other City support for such events, maintaining a master calendar of special events, creating a web site for special events, providing guidelines to other City departments on appropriate special event policies, working with the Entertainment Commission, Grants for the Arts, the Convention and Visitors Bureau, and the Mayor's Office of Protocol to support existing special events and attract new special events, and issue a report to the Board of Supervisors on the effectiveness of this Ordinance within a year of its effective date, and removing from the Entertainment Commission responsibility for organizing major special events like Halloween, helping event organizers obtain permits from other City departments, and mediating disputes between organizers of special event and people affected by those events.

11/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. 11/13/07 - Referred to the Small Business Commission for review and comment.

071521 [Public Works Code - caf, tables and chairs permit fee] Supervisors Chu, Dufty

Ordinance amending Public Works Code Sections 2.1.1 to update the caf, tables and chairs permit fee and making environmental findings.

11/6/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/6/2007. 11/13/07 - Referred to Planning for determination of environmental impact. 11/13/07 - Referred to the Small Business Commission and Public Works for review and comment.

071522 [Residential Rent Ordinance: Sellers and Purchasers to Give Tenants Written Disclosure of Rights Before and After Sale of the Rental Property] Supervisor Daly

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by adding subsection (j) to Section 37.9, to provide that tenants in units subject to Section 37.9 be given written disclosure of specified rights by sellers and purchasers before and after the sale of such property.

11/6/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2007.

071526 [Public Employment - Mayor's Office for the Office of Special Events] Supervisors Dufty, Alioto-Pier

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) to reflect the addition of one position (.5 FTE) Class 0902 - Mayoral Staff XIV in the Mayor's Office for the Office of Special Events.

11/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071528 [Administrative Code - Amendment to Tourist Hotel Conversion Ordinance] Supervisors Peskin, Ammiano, Daly, Maxwell, Mirkarimi

Ordinance amending the Administrative Code to add Section 41F to prohibit conversion of Large Tourist Hotels into condominium projects, allowing the Planning Commission to issue exemptions for conversion of up to 500 units in the following two years, listing criteria for additional conversions as determined by the Planning Commission, requiring applicants for

exemptions to provide the Planning Department with certain information regarding the conversion, creating a 120-month sunset period, and making environmental findings.
11/6/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2007.

071534 [Zoning - Interim Moratorium on institutional uses in the Western SoMa] **Supervisors Peskin, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi**

Urgency Ordinance approving an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.
11/6/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071536 [Access to and retention of community safety camera recordings] **Supervisor Sandoval**

Ordinance amending the San Francisco Administrative Code by amending Section 19.3 to allow the Public Defender and other criminal defense attorneys and investigators to obtain community safety camera recordings for particular purposes; and amending Section 19.6 to specify the procedures for the Public Defender and other criminal defense attorneys and investigators to request community safety camera recordings and to require that the Department of Telecommunications and Information Services retain the recordings for at least 14 days but not more than 21 days.
11/6/07, ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 12/6/2007.

071540 [Prohibiting the Feeding of Birds or Wild Animals] **Mayor**

Ordinance amending section 486 of the Police Code to specify that the feeding of any bird or wild animal is prohibited in any park of the City and County.
11/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071541 [Appropriating $8,890,628, of additional Proposition 1B State Funds revenue for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $8,890,628 of additional Proposition 1B State Funds for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008. The department will use the accelerated appropriations of bond funds from the state to fund projects for which design money has already been appropriated and were included in the City's FY 2008-09 capital program. The total list of projects to be funded by the bond funds are as follows:
DPW Bureau or Street and Sewer Repair - Various Locations
North University Mound (Joint PUC Project)
Laguna Street - Geary Blvd to Sutter St (Joint PUC Water Contract Phase I)
SOMA West Alley Paving
SOMA Pavement Renovation
Taylor Street - Market to Ellis
Sansome Street - Sutter to California

Folsom Street - 10th to 19th, Powhattan to Alemany
11th Street - Mission to Harrison
Various Locations #13 Pavement Renovation
Lincoln Way - 3rd Avenue/Kezar to 36th Avenue
FY 08-09 Intersection Paving
Various Locations #12 Pavement Renovation
11/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

071515 [Commemorating the 30th anniversary of the election of Harvey Milk to the Board of Supervisors of San Francisco] **Supervisors Dufty, Ammiano**

Resolution commemorating the 30th anniversary of the election of Harvey Milk to the Board of Supervisors of San Francisco.

11/6/07, ADOPTED.

071516 [Grant to support the Healthcare Facilities Partnership Program through the San Francisco Department of Public Health] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of $787,659 from the Department of Health and Human Services, Public Health Service, for year 1 of the Healthcare Facilities Partnership Program, for the period of September 1, 2007, through August 8, 2008.

11/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071517 [Grant to support the SF Child Injury Prevention Program] **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the Kids' Plates Program, San Diego State University Research Foundation in the amount of $54,000 in support of SF Child Injury Prevention Program, for the period of October 1, 2007 through June 30, 2008.

11/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 11/9/07 - Sent referral letter to the Youth Commission.

071523 [Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Division of Emergency Services] **Supervisor Elsbernd**

Resolution authorizing the Department of Emergency Management, Division of Emergency Services, to accept and expend a Federal pass through grant in the amount of $1,723,887 from the Governor's Office of Homeland Security for three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS).

11/6/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071524 [Retroactive Accept and Expend State Grant - Department of the Environment] **Supervisor Maxwell**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $11,175 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.

11/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071525 [Accept and Expend State Grant - Department of the Environment] Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $11,002 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.

11/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071527 [Accept-Expend Federal Grants - Municipal Transportation Agency] Supervisor Mirkarimi

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of $478,000 from 2006 Regional Transportation Improvement funds for the Transportation for Livable Communities - Inner Sunset Traffic Calming and Transit Enhancements Project.

11/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071533 [Issuance and Sale of Tax-Exempt Bonds - San Francisco Planning and Urban Research Association] Supervisors Peskin, Dufty

Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed $7,000,000 to finance and refinance the acquisition and construction of capital facilities owned by San Francisco Planning and Urban Research Association or an affiliate.

11/6/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071535 [Appointment - Urban Counties Caucus] Supervisor Peskin

Resolution appointing Supervisor Carmen Chu, term ending December 31, 2008 to the Urban Counties Caucus.

11/6/07, RECEIVED AND ASSIGNED to Rules Committee.

071537 [Grant of Regional Funds.- San Francisco Municipal Transportation Agency] Supervisor Sandoval

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend $200,000 of Regional Measure 2 - Safe Routes to Transit funding to conduct a study analyzing how to improve traffic patterns on the southern side of the Balboa Park BART station.

11/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071539 [Authorizing the office of the Clerk of the Board of Supervisor Mirkarimi

Supervisors to provide clerical, administrative and logistical assistance to the San Francisco Local Agency Formation Commission]

Resolution authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from LAFCo therefor.

11/6/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071542 [Accept-Expend Federal Grants - Municipal Transportation Agency] **Mayor**

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of $2,740,000 from the Metropolitan Transportation Commission Regional Bicycle and Pedestrian Program for various transportation projects.

(Fiscal Impact.)

11/6/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

071538 [Imposing a suppression order upon the Board of Supervisors] **Supervisor Sandoval**

Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.

11/6/07, RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

071218 [Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability] **Supervisors Daly, Ammiano, Mirkarimi**

Charter amendment (Second Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents ($0.025) on each one hundred dollars ($100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

8/14/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/13/2007. (Referred to Departments)

11/5/07, FILED PURSUANT TO RULE 5.37.

11/6/07, REACTIVATED PURSUANT TO RULE 5.23. Supervisor Daly rquested this mattter be reactivated.

11/6/07, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment bearing new title. (Referred to Departments)

11/6/07, ASSIGNED to Rules Committee. Supervisor Daly requested that the item be heard at the Rules Committee meeting on November 15, 2007.

11/6/07, ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

071480 [Re-Appointment - Local Homeless Coordinating Board]

Resolution re-appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)
10/24/07, RECEIVED AND ASSIGNED to Rules Committee.

071483 [Settlement of Grievance - Service Employees International Union, AFL-CIO, Local 790 ("Union")]

Resolution approving the settlement of the grievance (ERD No. 81-06-1465) filed by Service Employees International Union, AFL-CIO, Local 790 ("Union") on behalf of Grievant Victoria Sargent against the City and County of San Francisco for $133,751.52. Other material terms of said settlement is that Grievant and Union shall release all claims relating to Grievant's employment with the City and that Grievant shall be restricted from any future employment with the City. (City Attorney)
10/26/07, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

Northwest corner of Pierce and Page (Sidewalk)

Both sides of the Webster median between Ivy and Geary (Curbside)

Curb cut areas at the intersection of Webster and Geary (Curbside)

Northeast corner of Page and Buchanan (Emergency Box)

Southeast corner of Page and Steiner (Emergency Box)

Southwest corner of Oak and Broderick (Emergency Box)

Southeast corner of Golden Gate and Steiner (Emergency Box)

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repainting the crosswalks:

At the intersection of 5th Avenue and Lincoln Way crossing 5th Avenue on the south side of Lincoln

The west crosswalk on Arguello Blvd. Crossing Lincoln Way (or Frederick)

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following DPT/MTA properties:

Southwest corner of Fulton and Laguna (Traffic Light Pole)

"One-Way" at the northeast corner of Turk and Steiner (Signs)

"STOP" sign at the southwest corner of Waller and Buchanan (Signs)

"STOP" sign at the northwest corner of Grove and Octavia (Signs)

Back of "STOP" sign at the northeast corner of McAllister and Laguna (Signs)

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from parking signs and poles at the

In Memoriams

Karen A. Robertson - Supervisor Elsbernd

Irene G. O'Neill - Supervisor Elsbernd

Max Lipkin - Supervisor Dufty

Bella Jung - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:45 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 4, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

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The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Board of Supervisors

November 13, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, November 13, 2007

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Ammiano, McGoldrick and Sandvoal were noted absent.

There was a quorum present.

Supervisors Ammiano, McGoldrick and Sandoval were noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved to approve Board Meeting Minutes of October 16, 2007 and October 23, 2007. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the City Operations and Neighborhood Services Committee

071254 [Landmark Tree Designation of Coast Live Oak tree at 4124 - 23rd Street] **Supervisor Dufty**

Ordinance designating the Coast Live Oak tree at 4124 23rd Street (Assessor's Block 2803, Lot 3) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation. (Environment)

Enacted Number: 262-07

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

071343 [Street encroachment sensu sculpture as a gateway icon for Japantown on Webster Street] **Supervisor Mirkarimi**

Ordinance granting revocable permission to the Japanese Cultural and Community Center of Northern California to occupy a portion of the public right-of-way for the installation of a sensu sculpture on the median of Webster Street between Geary Boulevard and Post Street in the Japantown neighborhood; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Enacted Number: 252-07

FINALLY PASSED

071432 [Street encroachment on Linden Street between Gough Street and Octavia Boulevard] **Supervisor Mirkarimi**

Ordinance granting revocable permission to 300 Linden LLC to occupy the public right-of-way to construct street encroachment improvements on a portion of Linden Street, an unaccepted public right-of-way, between Gough and Octavia Boulevard, including new landscaping, raised stamped and colored asphalt paving, ADA approved detectable warning material, raised planters and granite curbstones for seating; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Enacted Number: 263-07

FINALLY PASSED

Recommendations of the Rules Committee

071290 [Filing of Mass Mailings Paid for with Independent Expenditures] **Supervisor Daly**

Ordinance amending the Campaign and Governmental Conduct Code by amending Section 1.161 and repealing Section 1.162 to require persons making independent expenditures to pay for mass mailings that support or oppose candidates for City elective office to file those mailings and itemizations of costs with the Ethics Commission, and renumbering Section 1.162.5.

Enacted Number: 261-07

FINALLY PASSED

071494 [Appointment - Peak Oil Preparedness Task Force]

Resolution appointing Jason Mark, Marya Stark and Patricia Gerber to the Peak Oil Preparedness Task Force, terms ending October 5, 2008.

Jason Mark, new appointment, seat 5, must represent the public at-large, for a one-year term ending October 5, 2008. Marya Start, new appointment, seat 6, must represent the public at-large, for a one-year term ending October 5, 2008. Patricia Gerber, new appointment, seat 7, must represent the public at-large, for a one-year term ending October 5, 2008.

Enacted Number: 635-07

ADOPTED

071496 [Appointment - Local Homeless Coordinating Board]

Resolution appointing Laura Guzman, term ending October 21, 2009, to the Local Homeless Coordinating Board, residency requirement waived.

Laura Guzman (residency requirement waived), succeeding herself, term expired, seat 1, must be a member of the disabled community, for a two-year term ending October 21, 2009.

Enacted Number: 634-07

ADOPTED

071497 [Appointment - Child Care Planning and Advisory Council]

Resolution appointing Natalie Brutto, term ending December 31, 2009, and Noushin Mofakham, term ending December 31, 2010, to the Child Care Planning and Advisory Council; residency requirement waived.

Natalie Brutto, succeeding herself, term expired, seat 5, must be a nominee of District 5 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for the unexpired portion of a three-year term ending December 31, 2009. Noushin Mofakham (residency requirement waived), succeeding Chris Cleary, term expired, seat 6, must be a nominee of District 6 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative," for a new three-year term ending December 31, 2010.

Enacted Number: 633-07

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

071532 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses] **Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 790.55 to further define grocery stores.

Enacted 264-07

Number:

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations from the Rules Committee

070410 **[San Francisco Bonding Program]** **Supervisor Mirkarimi**

Ordinance amending Chapter 30 of the San Francisco Administrative Code to add Article II thereto to create the San Francisco Bonding Program and to authorize the City to purchase bonds for employers who agree to hire hard-to-place employees.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070672 **[Initiative Petition Circulator Identification Requirements]** **Supervisor Daly**

Ordinance amending the Municipal Elections Code by adding Section 335 to require initiative, recall and referendum petition circulators to display a badge disclosing whether they are volunteer or paid circulators and requiring circulators to disclose the name(s) of the proponents of the petition upon request.

Enacted Number: 267-07

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Alioto-Pier

071003 **[Consolidating the Public Campaign Financing Programs for Mayor and Board of Supervisors]** **Supervisors Daly, Peskin**

Ordinance amending Sections 1.104, 1.108, 1.130, 1.134, 1.134.5, 1.136, 1.138, 1.140, 1.142, 1.144, 1.146, 1.148, 1.150, 1.152, 1.154, 1.156 and 1.170 and repealing Sections 1.138.5, 1.140.5 and 1.144.5 of the Campaign and Governmental Conduct Code to combine the separate partial public financing programs for candidates for the Board of Supervisors and candidates for Mayor into one partial public financing program and raising the expenditure ceiling for candidates for the Board of Supervisors to $140,000.

(No Economic Impact) (Supervisor Elsbernd dissented in Committee)

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved to amend.

Motion to amend failed by the following vote:

Ayes: 4 - Chu, Daly, Elsbernd, Mirkarimi

Noes: 7 - Alioto-Pier, Ammiano, Dufty, Maxwell, McGoldrick, Peskin, Sandoval

Enacted Number: 268-07

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 3 - Alioto-Pier, Chu, Elsbernd

071090 [Regulation of False Political Telemarketing Through Persuasion Polls] **Supervisors Daly, Ammiano, Mirkarimi**

Ordinance amending the Campaign and Governmental Conduct Code by adding Section 1.160.5 to require that persons conducting or paying for telephonic persuasion polls must disclose information to call recipients during the telephone calls and must file disclosures with the San Francisco Ethics Commission.

(Supervisor Elsbernd dissented in Committee)

Enacted Number: 266-07

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Maxwell

071369 [Sweatfree Contracting Ordinance Amendments] **Supervisor Ammiano**

Ordinance amending Sections 12U.2, 12U.3, and 12U.9 of the Administrative Code, and adding Section 12U.9.5, to (1) provide a system for awarding contracts to a bidder or proposer most substantially in compliance, but not in full compliance, with the Sweatfree Contracting Ordinance, when no bids or proposals are in full compliance, but only where such awards would not increase the cost of the contract by more than fifteen percent; and (2) make other changes in the Sweatfree Contracting Ordinance, including relaxing the ban on mandatory overtime; referencing retirement benefits in calculation of wages; and relaxing the requirement for contractors' providing information as to amounts to be paid to subcontractors by providing that amounts be reported within a monetary range rather than as an exact dollar figure.

Enacted Number: 265-07

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071460 [Easement Modification and Relocation Agreement - University of California Parnassus Heights Campus]

Resolution approving and authorizing the execution and delivery of an Easement Modification and Relocation Agreement between The Regents of the University of California ("University") and the City and County of San Francisco, acting by and through its Public Utilities Commission (collectively referred to hereafter as the "City"), authorizing the City's acceptance of a Modified and Restated Grant of Easement and Agreement For Expanded Storage Tank Easement, the City's quitclaim of the Existing Storage Tank Easement to the University, the City's acceptance of a Grant of Easement and Agreement For New Pump Station Easement and the City's quitclaim of the Existing

Pump Station Easement to the University following completion of the Project; adopting findings of consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting environmental findings. (Real Estate Department)

Continued to December 11, 2007

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071465 [Directing the controller transfer funds that were previously budgeted for the Office of the Legislative Analyst to the Budget Analyst] **Supervisors Sandoval, Mirkarimi, Peskin**

Resolution directing the controller to transfer funds that were previously budgeted for the Office of the Legislative Analyst to the Budget Analyst for actuary services.

Enacted Number: 637-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071466 [Funding Agreement for 2007 Spare the Air Campaign] **Supervisor Ammiano**

Resolution approving the Funding Agreement between the Metropolitan Transportation Commission and the City and County of San Francisco for the 2007 Spare the Air/Free Transit campaign.

Enacted Number: 636-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071437 [Appropriating $372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07] **Mayor**

Ordinance appropriating $372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071438 [Mortgage Revenue Bonds - Mason Street Supportive Housing] **Mayor**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $30,000,000 for Mason Street Supportive Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $30,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Enacted Number: 632-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee With Recommendation "Do Not Pass"

071386 **[Approving a contract with anticipated expenditures in excess of $10 million]**

Resolution approving an Agreement between the City and County of San Francisco and S & S Trucking (Contractor) for hauling biosolids (sludge) and grit estimated to exceed $10 million, pursuant to San Francisco Charter Section 9.118(b). (Office of Contract Administration)

NOT ADOPTED by the following vote:

Ayes: 1 - Daly

Noes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government and Audit Oversight Committee

071136 **[Recreation and Park Department - Camping, Mayor Sleeping]**

Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m.

Continued to November 20,2007

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Alioto-Pier, Chu

Absent: 1 - Dufty

Recommendations of the Land Use and Economic Development Committee

070489 **[Closing specified streets in Golden Gate Park on Saturdays]** **Supervisor McGoldrick**

Ordinance amending Section 6.13 of the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from the first Saturday in April to the last Saturday in September; requesting development of an improvement plan for Middle Drive West between Transverse Drive and Metson Road; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

070671 **[Amending the Planning Code to Create the Fringe Financial Service Restricted Use District and Making Related Zoning Map Amendments]** **Supervisor Ammiano**

Ordinance amending San Francisco Planning Code Sections 249.5, 781.8, 781.9, 782, and 783 and adding Section 249.35 to the San Francisco Planning Code to create a noncontiguous Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions; amending San Francisco Planning Code Section 312 to require certain notice in Neighborhood Commercial Districts; amending San Francisco Planning Code Section 227 to add Fringe Financial Service Use to the Commercial District Zoning Control Table; amending San Francisco Planning Code Sections 702.4, 703.2 and 710 through 730 to add Fringe Financial Service Use to the Neighborhood Commercial District Zoning Control Tables; adding Section 790.111 and 890.113 to the San Francisco Planning Code to define a Fringe Financial Service Use; amending San Francisco Planning Code Sections 790.110, 790.112, 890.110, and 890.112 to require that use applications for Financial Services and Limited Financial Services include a copy of any state-issued license; amending San Francisco Planning Code Sections 803.2, 810, 811, and 812 to add Fringe Financial Service Use to the Chinatown Zoning Control Tables; amending San Francisco Planning Code Sections 814 through 818 to add Fringe Financial Service Use to certain Zoning Control Tables in the South of Market area; amending San Francisco Planning Code Section 827 to add Fringe Financial Service Use to the Rincon Hill Downtown Residential Mixed Use District Zoning Control Table; amending Zoning Maps Numbers SU01, SU02, SU06, SU07, SU08, and SU10 of Zoning Map of the City and County of San Francisco to indicate the boundaries of the Fringe Financial Service Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(5/23/07 - Economic Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

071056 **[Centralization of Workforce Development Efforts Under the Department of Economic and Workforce Development]** **Supervisors Mirkarimi, Peskin, Ammiano, Maxwell**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 30, Sections 30.1 through 30.8, to: 1) centralize the City's workforce development policy and oversight under the Department of Economic and Workforce Development (DEWD), or successor department; 2) require the Director of Economic and Workforce Development to manage all general fund expenditures on workforce development, create City-wide workforce development policy, develop a Funding Allocation Plan for workforce development funds and annually report on workforce development policies to the Board of Supervisors; 3) require City departments to enter into Memoranda of Understanding with DEWD as a condition of administering workforce development dollars; 4) require the Mayor to submit the names of prospective appointees to the Local Work Force Investment Board to the Board of Supervisors for approval or to appoint two members of the Board of Supervisors to the Local Workforce Investment Board; 5) create a community advisory committee to the Local Workforce Investment Board; and, 6) require that the Workforce Investment Act Local Plan be submitted for review and comment to the Board of Supervisors, and by amending Administrative Code Section 83.6 to place the administration of the First Source Hiring Program under the DEWD.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:00 P.M.

Supervisors Daly and McGoldrick were noted absent at 3:58 p.m.

071265 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea)

(Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

071266 **[Affirming the Categorical Exemption issued for 2721 Pierce Street]**

Motion affirming the determination by the Planning Department that the 2721 Pierce Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to December 4, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

071267 **[Disapproving the Categorical Exemption issued for 2721 Pierce Street]**

Motion disapproving the determination by the Planning Department that the 2721 Pierce Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to December 4, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

071268 **[Preparation of findings related to the 2721**

Pierce Street Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2721 Pierce Street is exempt from environmental review under the California Environmental Quality Act.

Continued to December 4, 2007

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

SPECIAL ORDER 4:00 P.M.

070910 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to December 4, 2007

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved)

070911 **[Affirming the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to December 4, 2007

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Daly, McGoldrick

070912 **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to December 4, 2007

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Daly, McGoldrick

070913 **[Preparation of findings related to the 3424 Jackson Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to December 4, 2007

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Daly, McGoldrick

SPECIAL ORDER 4:30 P.M.

Supervisor McGoldrick was noted present at 5:09 p.m.

071319 **[Public Hearing - Appeal of Determination of Exemption from Environmental Review for**

376 Eureka Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 2, 2007, Case No. 2005.0365E, exempting from environmental review under Categorical Exemption Class 1 [State CEQA Guidelines, Sections 15301(a) and (e)]. The project would expand an existing one-story-plus attic, 1,056-square-foot single-family dwelling and minor alterations to an accessory rear one-story-plus-attic, 300-square-foot cottage on an approximately 3,250-square-foot lot. The proposed expansion consists of a two-story, approximately 24-foot-high, 22-foot-deep addition to the rear of the dwelling, which would add approximately 1,020 square feet of habitable area. In addition, the project includes raising the dwelling by 2 feet and constructing an approximately 800-square-foot below-grade garage and basement area increasing the building height from 16-1/2 feet to 18-1/2 feet. The existing front set back of 11-1/2 feet would not change. In addition, the proposal would alter an accessory rear one-story-plus-attic, 300-square foot cottage by removing a kitchen. The project site (Assessor's Block 2749, Lot 017) is within an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District. (Appellant: F. Joseph Butler, AIA, on behalf of Susan Lally and Priscilla Botsford)

(Filed September 14, 2007; companion measure to 071320, 071321, 071322; District 8.)

The President inquired as to whether any member of the public wished to address the Board members.

Stephen Williams; Attorney for the appellant

Susan Lalley; support of the appellant

Michael Hoffman; support of the appellant

Jeffrey Levin; support of the appellant

Roger; support of the appellant

David Lesh; support of the appellant

Rachelle Gotley; support of the appellant

Judith William; support of the appellant

Jeff Markoff; support of the appellant

Male speaker; support of the appellant

Kathy Suhey; support of the appellant

Leslie Markoff; support of the appellant

Zach Stewart; support of the appellant

Sam Hughes; support of the appellant

Ms. McElroy; support of the appellant

Joseph Butler; support of the appellant

Female speaker; support of the appellant

Lisa Gibson, Michael Smith and Mark Llewllyn, Representatives of the Planning Department, reviewed with the Board the Planning Department's recommendation with the Board members.

Chris Baker, project sponsor

Reuben Junius, Attorney of the project sponsor; support of the project sponsor

Jay Turnbull; support of the project sponsor

Steve Fullman; support of the project sponsor

Evelyn Bill; support of project sponsor

Phil Mathews; support of the project sponsor

Brent McDonald, architect for the project sponsor; support of the project sponsor

Bethany Edgeberry; support of the project sponsor

Sarah Meridian; support of the project sponsor

Lindsey Sanders; support of the project sponsor

Michelle; support of the project sponsor

Michelle Saxon; support of the project sponsor

Imusu Uko; support of the project sponsor

Male speaker; support of the project sponsor

Kristina Baker, project sponsor

Arnie Lerner; support of the project sponsor

Rebuttal Period:

Stephen Williams, Attorney for the

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved)

071320 **[Affirming the Categorical Exemption issued for the 376 Eureka Street Project]**

Motion affirming the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor McGoldrick, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Chu, Dufty, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Mirkarimi

Absent: 1 - Daly

071321 [Disapproving the Categorical Exemption issued for the 376 Eureka Street Project]

Motion disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M07-144

Supervisor McGoldrick, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Chu, Dufty, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Mirkarimi
Absent: 1 - Daly

071322 [Preparation of findings related to the 376 Eureka Street Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 376 Eureka Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M07-145

Supervisor McGoldrick, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Chu, Dufty, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Mirkarimi
Absent: 1 - Daly

COMMITTEE REPORTS

071333 [Municipal Identification Cards] **Supervisors Ammiano, Peskin, Dufty, Mirkarimi, Sandoval, McGoldrick, Daly**

Ordinance adding Section 95.2 to the San Francisco Administrative Code authorizing the County Clerk to issue municipal identification cards upon request to residents of the City and County of San Francisco.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

ROLL CALL FOR INTRODUCTIONS

Supervisors Daly, McGoldrick, Peskin and Sandoval were noted absent at 3:58 p.m.

Supervisors Peskin and Sandoval were noted present at 4:10 p.m.

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megahed; expressed concern with issues relating to the recent oil spill

James Chaffee; expressed concern with issues relating to the SF Public Library

Male speaker; expressed concern with issues relating to the elected officials in San Francisco and the protection of resources in San Francisco and violence in Golden Gate Park

Female speaker; expressed concern with issues relating to the ROTC program in the SFUSD

Jennifer Friedenbach; expressed concern with issues relating to housing and camping in the park

John di Donna; expressed concern with issues relating to gay individuals

Richard Stipman; expressed concern with issues relating to hate crimes

Star Davies; expressed concern with issues relating to Care Not Cash

Richard Robinson; expressed concern with issues relating to transgender marriages

Richard Mageary; expressed concern with issues relating to the patenting of ideas

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

071539 **[Authorizing the office of the Clerk of the Board of Supervisors to provide clerical, administrative and logistical assistance to the San Francisco Local Agency Formation** **Supervisor Mirkarimi**

Commission]

Resolution authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from LAFCo therefor.

Supervisor Elsbernd requested that this matter be referred to committee.

REFERRED to the Budget and Finance Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding] Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the Serious Injury finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Daly, McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Dufty, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Absent: 2 - Daly, McGoldrick

071554 [Concurring in Proclamation of Local Emergency] Supervisor Peskin

Motion concurring in the November 13, 2007 Proclamation of a Local Emergency by the Mayor.

Enacted Number: M07-146

APPROVED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

OFF AGENDA LEGISLATION

Introduced by Supervisors or Mayor

OFF AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071561 [Prohibiting Formula Retail in the Mission/Bernal Formula Retail Restricted Use Subdistrict] **Supervisor Ammiano**

Ordinance to amend the San Francisco Planning Code by adding Section 785, establishing the Mission Formula Retail Restricted Use Subdistrict; amending Planning Code Section 703.3 to prohibit formula retail uses in the Mission Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Economic Impact

071565 [Extending the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008] **Supervisor Maxwell**

Ordinance amending the San Francisco Administrative Code by amending Section 5.265, to retroactively extend the expiration of the legislation establishing the Back Streets Business Advisory Board to December 31, 2008.

071568 [Appropriating $250,000 Unappropriated Port Operating Fund Balance for Fuel Spill Clean-up Activities in the Port of San Francisco for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $250,000 of Unappropriated Fund Balance from the Port Operating Fund to fund fuel spill clean-up by commercial vessels under contract with the Port of San Francisco and under direction of the Cosco Busan Incident Command retroactive to November 10, 2007 in the Port of San Francisco Fiscal Year 2007-2008.

(Fiscal Impact.)

071464 [Zoning - Ordinance Creating the Excelsior Alcohol Restricted Use District and the North Beach Alcohol Restricted Use District] **Supervisors Sandoval, Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; adding Section 786 to create a North Beach Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks fronting both sides of Mission Street from Silver Avenue to the Daly City border; amending Section Map SU 01 to establish the boundaries of the North Beach Alcohol Restricted Use District, which consists of the properties within the North Beach Neighborhood Commercial District; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Resolutions

071512 [Juvenile Probation & Camps Funding Program Agreement-Juvenile Probation Department] **Supervisor Dufty**

Resolution authorizing the Juvenile Probation Department to participate in the Juvenile Probation & Camps Funding Program used to pay for direct services to children.

071543 [Local support for street resurfacing projects to be funded by FY 2007-08 Proposition 1B State Infrastructure Bond funds from the Local Streets and Roads Account] **Mayor**

Resolution authorizing local support for the street resurfacing projects to be funded by FY 2007-08 Proposition 1B State Infrastructure Bond funds from the Local Streets and Roads Account.

071562 [Accept-Expend California Department of Parks and Recreation Grant] **Supervisor Chu**

Resolution authorizing San Francisco Arts Commission (SFAC) to accept and expend a grant in the amount of $36,000 from the California Department of Parks and Recreation for restoration of the Portals of the Past monument in Golden Gate Park.

071563 [Accept-Expend State Grant - Sheriff's Department] **Supervisor Dufty**

Resolution authorizing the Sheriff's Department of the City and County of San Francisco to apply for, accept and expend $377,895 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs; stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs.

071564 [Bayview Hunters Point Redevelopment Project Area C Interim Controls] **Supervisor Maxwell**

Resolution adopting interim zoning controls for a period of eighteen (18) months in the area designated as "Area C" in the Bayview Hunters Point Redevelopment Survey Area, an area generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay to require a conditional use permit for all new construction, changes of use, alterations that expand the building envelop and demolitions, except for alterations of a lawfully existing use in the M-1, M-2 or NC-2 zones or the establishment of or a change of use on the ground floor of a principally permitted use in the NC-2 area; specifying criteria to be applied in the evaluation of a conditional use permit application, and adopting findings.

071566 [Approval of an additional 120 day extension for Planning Commission review in order to allow for a Recreation and Parks Commission Hearing and to complete an addendum to an associated **Supervisor Mirkarimi**

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

071567 [Urging the Recreation and Parks Commission to enter a grant agreement with the Friends of the Geneva Office Building for the rehabilitation of the Geneva Office Building] **Supervisor Sandoval**

Resolution urging the Recreation and Parks Commission to enter a grant agreement with the Friends of the Geneva Office Building for the rehabilitation of the Geneva Office Building.

071569 [Joanne Pang Foundation] **Supervisors Elsbernd, Chu**

Resolution commending The Joanne Pang Foundation for its fundraising campaign to create the first Northern California Umbilical Cord Blood Bank.

071570 [Honoring Marcus Garvey] **Supervisor Mirkarimi**

Resolution urging the Department of Public Works to Honor Marcus Garvey by Renaming Eddy Street Between Laguna and Divisadero "Marcus Garvey Way" and Proclaiming August 17th Marcus Garvey Day in San Francisco.

071571 [Landmark Designation Nomination for Tree Located at 1245 Masonic Avenue] **Supervisors Mirkarimi, Peskin**

Resolution of intent initiating the nomination of the Black Acacia Tree at 1245 Masonic Avenue for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code Section 810(d), and authorizing other official acts in furtherance of this Resolution.

071572 [Urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships] **Supervisor Sandoval**

Resolution urging the Port of San Francisco to prohibit any vessel that uses heavy bunker oil from docking on Port property.

071573 [Urging the Federal Government to impose stricter regulations on international ship traffic and supporting the Marine Vessel Emissions Reduction Act of 2007] **Supervisor Sandoval**

Resolution urging the Federal Government to impose stricter regulations on international ship traffic and supporting the Marine Vessel Emissions Reduction Act of 2007.

Request for Hearing

071556 [St. Luke's Hospital - Current Closures and Staffing Changes] **Supervisors Alioto-Pier, Sandoval, Ammiano**

Hearing to consider the current closures and staffing changes at St. Luke's Hospital. This hearing will explore whether the closure of the tenth floor is putting patient care at risk; whether the closure of the tenth floor medical/surgical unit is justified given the demand for beds; and whether CPMC is required to give notice pursuant to Proposition Q (The Community Health Planning Ordinance) of its intent to close this medical/surgical unit.

071557 [Citywide economic development plan for San Francisco titled "Sustaining Our Prosperity: The San Francisco Economic Strategy"] **Supervisor Alioto-Pier**

Hearing on the first ever citywide economic development plan for San Francisco titled "Sustaining Our Prosperity: The San Francisco Economic Strategy". The plan contains a review of San Francisco's recent economic performance, identifies those industries that drive the local economy and outlines goals and strategies for achieving economic success in San Francisco. The hearing will review the plan. Further, during the hearing we will ask the OLA to report on the plan and if it is consistent with the Board's annual budget priorities.

071558 [Recent oil spill in the SF Bay] **Supervisors Mirkarimi, Peskin, Dufty**

Hearing before the Public Safety Committee to receive a formal briefing on the recent oil spill on the San Francisco Bay, the City's response by the responsible departments and agencies including, but not limited to, Fire, Police, OES, & Health and to explore the feasibility and potential costs of the City establishing a program through or similar to NERT to train volunteers to respond to similar HazMat incidents in the future.

071560 [Hearing at the Full Board on the response to the November 7, 2007 oil spill in the San Francisco Bay] **Supervisors Alioto-Pier, Dufty**

Hearing to examine the response of the various agencies involved in the response to the oil spill, including the Coast Guard and the Golden Gate National Recreation Area, and their coordination with City agencies, including the Department of Emergency Management. The hearing will further examine how response decisions were made and communicated to the relevant parties.

Motions

071554 [Concurring in Proclamation of Local Emergency] **Supervisor Peskin**

Motion concurring in the November 13, 2007 Proclamation of a Local Emergency by the Mayor.

071555 [Closed Session - Conference with the City's Human Resources Director]

Motion that the Board of Supervisors convene in closed session with the City's Human Resources Director, or her designated representative, pursuant to Government Code section 54957.6 and San Francisco Administrative Code section 67.10(e) regarding a potential charter amendment to address the cost and funding of retiree medical benefits.

071559 [Committee of the Whole - November 20, 2007 regarding the November 7, 2007 Oil Spill] **Supervisor Alioto-Pier**

Motion scheduling the Board to sit as a Committee of the Whole to review the City's response to the oil spill, to be held on November 20, 2007.

PROPOSED ORDINANCES

071511 [Revising Double Parking Restrictions for Municipal Railway Bus Routes on Stockton Street]

Ordinance amending the San Francisco Traffic Code by amending Section 53 to revise restrictions on double parking on Municipal Railway Bus Routes on Stockton Street. (Municipal Transportation Agency)

071513 [Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC. (City Attorney)

PROPOSED RESOLUTIONS

071508 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Wayland Street at Girard Street, stopping Wayland Street, making this intersection an All-Way STOP;

18th Street and San Carlos Street, stopping San Carlos Street;

Byxbee and Shields Streets, stopping Shields Street, making this intersection an All-Way STOP;

Ralston and Shields Streets, stopping Shields Street, making this intersection an All-Way STOP;

Delano and Santa Ynez Avenues, stopping Delano Avenue, making this intersection an All-Way STOP;

Delano and San Juan Avenues, stopping Delano Avenue, making this intersection an All-Way STOP;

Ostego and Santa Ynez Avenues, stopping Santa Ynez Avenue, making this interesection an

All-Way STOP;

Marview Way and Palo Alto Avenue, stopping westbound Palo Alto Avenue;

Annapolis Terrace at Turk Boulevard;

Roselyn Terrace at Turk Boulevard;

Kittredge Terrace at Turk Boulevard; and,

Temescal Terrace at Turk Boulevard. (Parking and Traffic Department)

(11/1/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3430.)

11/2/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071509 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

NO LEFT TURN - ESTABLISH
Ocean Avenue, eastbound at Howth Street.

NO LEFT TURN AFTER BALLPARK EVENTS - ESTABLISH
Armstrong Avenue, westbound, at 3rd Street, (after events at Monster Park) (Parking and Traffic Department)

(11/1/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3430.)

11/2/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071510 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
27th Avenue, west side, from driveway of 671 27th Avenue to 5.5 feet northerly.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM TO 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Belgrave Avenue, both sides, from west of Stanyan Street to the eastern terminus.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM TO 8 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Hill Street, both sides, between Guerrero and Valencia Streets (Unit block).

RESIDENTIAL PERMIT PARKING AREA "N" - ESTABLISH
Fulton Street, north side, between 14th and 15th Avenues (3800 block).
Note: No signs will be posted on the block, but residents will be eligible for permits.

PARKING METERS, AREA NO. 3 (30-MINUTE AND 1-HOUR PARKING TIME LIMITS, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND

La Playa Street, east side, between Balboa and Cabrillo Streets (700 block).

VANPOOL PARKING ONLY, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND
Van Ness Avenue, east side, between McAllister Street and Grove Street.

TOW-AWAY, NO STOPPING - ESTABLISH
5th Street, west side, from Harrison Street to 120 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Holyoke Street, south side, from Ankeny Street to 120 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM TO 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between 23rd and 24th Streets (1100 block).

COMPACT VEHICLES ONLY - ESTABLISH
1608 Treat Avenue, west side, from 5 feet to 12.5 feet north of the north property line of 1651 Treat Avenue (creates one compact car parking box measuring 7.5 feet wide by 13 feet long).

TOW-AWAY, NO PARKING, MIDNIGHT TO 10 A.M., MONDAY THROUGH FRIDAY - ESTABLISH
15th Street, north side, between Florida and Bryant Streets.

PARKING METERS AREA 2, (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTALISH
Townsend Street, south side, between 7th and 8th Streets, on portions where parking is not prohibited.

PARKING METERS, AREA NO. 3, (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
Masonic Avenue, east side, north of Turk Street (200 block). (Parking and Traffic Department)

(11/2/07 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3430.)

11/2/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071512 [Juvenile Probation & Camps Funding Program Agreement-Juvenile Probation Department] **Supervisor Dufty**

Resolution authorizing the Juvenile Probation Department to participate in the Juvenile Probation & Camps Funding Program used to pay for direct services to children.

11/13/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071514 [Prevailing wages for workers on public works/improvement projects; janitorial services; public off-street parking lots, garages, or auto storage facilities; theatrical services; moving

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission) 11/5/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. 11/13/07 - Referred to the Small Business Commission for review and comment.

Requests Granted

From: Supervisors Alioto-Pier and Chu

To: Director, Department of Emergency Management

To: Director, Golden Gate National Recreation Area

Requesting/Inquiring: Coordination with the Department of Emergency Management (DEM) and the Golden Gate National Recreation Area (GGNRA) in regards to communication, response and decision making after the November 7, 2007 oil spill.

Letter will inquire as to:

1. How was DEM involved in response and decision making around the oil spill? How was GGNRA involved in response and decision making around the oil spill?

2. How were these decisions communicated to and between DEM and GGNRA?

3. How and when were the decisions made to close Crissy Field and Ocean Beach? What agencies were involved in that decision? How was the decision communicated to other agencies and the public?

From: Supervisor Ammiano

To: Mental Health Board

To: Director, Veterans Administration

Requesting/Inquiring: Inquiring as to how the two organizations are coordinating to provide services to veterans with mental health issues, and what the Board of Supervisors can do to be of assistance in this effort?

From: Supervisor Mirkarimi

To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti from utility poles at the following locations:

1079 Ashbury (2 poles near this address)

Southwest corner of Oak and Cole

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the *status of removing graffiti from the following DPT/MTA property:*

Traffic Light Pole

Southwest corner of Fulton and Laguna

Pedestrian Signal

All corners of Ashbury and Oak

All corners of Oak and

In Memoriams

John Riordan - Supervisor Ammiano

Michelle Noel Alioto - Supervisor Alioto-Pier

Dick Nolan - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:30 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 4, 2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4188 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Board of Supervisors

November 20, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, November 20, 2007

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Chu, moved to approve the October 30, 2007 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

071437 [Appropriating $372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07] **Mayor**

Ordinance appropriating $372,596 of Revenue from State Mandated Costs for Prisoner Boarding in the Sheriff's Department Retroactive to Fiscal Year 2006-07.

(Fiscal Impact.)

Enacted Number: 273-07

FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

071462 [Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2007-08]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2007-08 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for Fiscal Year 2007-08. (Public Health Department)

Enacted Number: 652-07

ADOPTED

071470 [State grants to fund food and agricultural projects] Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend three grants totaling $2,877.43, from the California Department of Food and Agriculture (CDFA); for the period of July 1, 2007 through June 30, 2008.

Enacted Number: 651-07

ADOPTED

071491 [To allow San Francisco Fire Department (SFFD) to accept and expend the California Volunteers - Office of the Governor's Grant for Neighborhood Emergency Response Team (NERT) programs] Supervisor Chu

Resolution retroactively authorizing the San Francisco Fire Department (SFFD) to accept and expend a new grant in the amount of $75,095 from the California Volunteers - Office of the Governor for the period of April 1, 2007 to January 31, 2008 to support the Neighborhood Emergency Response Team (NERT) in the development and sharing of innovative, promising, and best practices in Citizen Preparedness and Participation that address all volunteers in all phases in emergency management.

Enacted Number: 650-07

ADOPTED

071504 [Accept-Expend Grant Funds - Recreation and Parks Department - $75,000] Supervisor Elsbernd

Resolution authorizing the San Francisco Recreation and Parks Department to accept and expend a grant in the amount of $75,000 for the Golden Gate Park Spreckels Temple of Music Restoration awarded by the American Express Partners in Preservation Grant Program administered by the National Trust for Historical Preservation.

Enacted Number: 649-07

ADOPTED

Recommendation of the Land Use and Economic Development Committee

070671 [Amending the Planning Code to Create the Fringe Financial Service Restricted Use District and Making Related Zoning Map Amendments] Supervisor Ammiano

Ordinance amending San Francisco Planning Code Sections 249.5, 781.8, 781.9, 782, and 783 and adding Section 249.35 to the San Francisco Planning Code to create a noncontiguous Fringe Financial Service Restricted Use District prohibiting new fringe financial services, as defined, with certain exceptions; amending San Francisco Planning

Code Section 312 to require certain notice in Neighborhood Commercial Districts; amending San Francisco Planning Code Section 227 to add Fringe Financial Service Use to the Commercial District Zoning Control Table; amending San Francisco Planning Code Sections 702.4, 703.2 and 710 through 730 to add Fringe Financial Service Use to the Neighborhood Commercial District Zoning Control Tables; adding Section 790.111 and 890.113 to the San Francisco Planning Code to define a Fringe Financial Service Use; amending San Francisco Planning Code Sections 790.110, 790.112, 890.110, and 890.112 to require that use applications for Financial Services and Limited Financial Services include a copy of any state-issued license; amending San Francisco Planning Code Sections 803.2, 810, 811, and 812 to add Fringe Financial Service Use to the Chinatown Zoning Control Tables; amending San Francisco Planning Code Sections 814 through 818 to add Fringe Financial Service Use to certain Zoning Control Tables in the South of Market area; amending San Francisco Planning Code Section 827 to add Fringe Financial Service Use to the Rincon Hill Downtown Residential Mixed Use District Zoning Control Table; amending Zoning Maps Numbers SU01, SU02, SU06, SU07, SU08, and SU10 of Zoning Map of the City and County of San Francisco to indicate the boundaries of the Fringe Financial Service Restricted Use District, and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(5/23/07 - Economic Impact.)

Enacted Number: 269-07

FINALLY PASSED

Recommendations of the Rules Committee

070410 [San Francisco Bonding Program] **Supervisor Mirkarimi**

Ordinance amending Chapter 30 of the San Francisco Administrative Code to add Article II thereto to create the San Francisco Bonding Program and to authorize the City to purchase bonds for employers who agree to hire hard-to-place employees.

Enacted Number: 272-07

FINALLY PASSED

071056 [Centralization of Workforce Development Efforts Under the Department of Economic and Workforce Development] **Supervisors Mirkarimi, Peskin, Ammiano, Maxwell**

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 30, Sections 30.1 through 30.8, to: 1) centralize the City's workforce development policy and oversight under the Department of Economic and Workforce Development (DEWD), or successor department; 2) require the Director of Economic and Workforce Development to manage all general fund expenditures on workforce development, create City-wide workforce development policy, develop a Funding Allocation Plan for workforce development funds and annually report on workforce development policies to the Board of Supervisors; 3) require City departments to enter into Memoranda of Understanding with DEWD as a condition of administering workforce development dollars; 4) require the Mayor to submit the names of prospective appointees to the Local Work Force Investment Board to the Board of Supervisors for approval or to appoint two members of the Board of Supervisors to the Local Workforce Investment Board; 5) create a community advisory committee to the Local Workforce Investment Board; and, 6) require that the Workforce Investment Act Local Plan be submitted for review and comment to the Board of Supervisors, and by amending Administrative Code Section 83.6 to place the administration of the First Source Hiring Program under the DEWD.

Enacted Number: 270-07

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

071333 [Municipal Identification Cards] **Supervisors Ammiano, Peskin, Dufty, Mirkarimi, Sandoval, McGoldrick, Daly**

Ordinance adding Section 95.2 to the San Francisco Administrative Code authorizing the County Clerk to issue municipal identification cards upon request to residents of the City and County of San Francisco.

(Fiscal Impact.)

Enacted Number: 274-07

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Elsbernd

Recommendation of the Government Audit and Oversight

Committee

071136 **[Recreation and Park Department - Camping, Sleeping]** **Mayor**

Ordinance amending San Francisco Park Code Section 3.12 to prohibit cooking, and to prohibit modification of park landscape to create a shelter; and amending Section 3.13 to prohibit sleeping in any park from 8:00 p.m. to 8:00 a.m.

(Supervisor Daly dissented in Committee.)

Refer matter to the Local Homeless Coordinating Board and schedule as soon as possible at GAO.

11/21/07 - Referred to the Local Homeless Coordinating Board for review and comment.

12/10/07 - Response received from Local Homeless Coordinating Board.

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved that this Ordinance be RE-REFERRED to the Government Audit and Oversight Committee. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

Recommendation of the Land Use and Economic Development Committee

070489 **[Closing specified streets in Golden Gate Park on Saturdays]** **Supervisor McGoldrick**

Ordinance amending Section 6.13 of the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from the first Saturday in April to the last Saturday in September; requesting development of an improvement plan for Middle Drive West between Transverse Drive and Metson Road; and making environmental findings.

Enacted Number: 271-07

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Chu, Elsbernd

From the Rules Committee Without Recommendation

071222 **[Amending Section 16.9-25 of the** **Supervisor Daly**

Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision]

Ordinance amending Section 16.9-25 of the Administrative Code to prohibit managers from pursuing or engaging in romantic or sexual relationships with employees under their supervision.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to table this matter.

Motion to table this matter failed by the following vote:

Ayes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, McGoldrick

Noes: 6 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval

Supervisor Daly, seconded by Supervisor Ammiano, moved to continue this matter to December 11, 2007.

Motion to continue to December 11, 2007 failed by the following vote:

Ayes: 5 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin

Noes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, McGoldrick, Sandoval

NOT PASSED ON FIRST READING by the following vote:
Ayes: 1 - Daly
Noes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071458 **[Amendment to Contract for Electric Services]**

Ordinance approving the amendment between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the performance of duties and obligations of a Scheduling Coordinator pursuant to the California Independent System Operator Tariff and for the delivery of low cost electric power to Treasure Island and Yerba Buena Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.19 of the San Francisco Administrative Code which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission)

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

071433 **[Public Employment - Department of Public Health]** **Supervisors Mirkarimi, Maxwell, Ammiano, Dufty**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 12.90 positions in the Department of Public Health to support acute psychiatric beds at San Francisco General Hospital.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071461 **[Approval of Lease No. GS-09B-02006 with the United States of America at San Francisco International Airport]**

Resolution approving and authorizing the execution of Lease No. GS-09B-02006 with the United States of America for office space to be occupied by the Transportation Security Administration, a Federal agency, in the International Terminal of San Francisco International Airport. (Airport Commission)

Enacted Number: 647-07

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

From the Budget and Finance Committee Without Recommendation

071533 **[Issuance and Sale of Tax-Exempt Bonds - San Francisco Planning and Urban Research Association]** **Supervisors Peskin, Dufty**

Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed $7,000,000 to finance and refinance the acquisition and construction of capital facilities owned by San Francisco Planning and Urban Research Association or an affiliate.

Enacted Number: 653-07

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

SPECIAL ORDER

Board of Supervisors Sitting as a Committee of the Whole

071488 **[Public hearing relating to consideration and possible selection for outside Legal Counsel to advise and represent the Board of Supervisors in the official misconduct proceedings against Supervisor Edmund Jew]**

Hearing to allow applicants to present their qualifications and allow members of the public to comment on applications submitted for providing services to the Board of Supervisors for the official misconduct proceedings against Supervisor Edmund Jew; possible selection by the Board of Supervisors, from one of the following two applicants, for outside Legal Counsel for said official misconduct proceedings.

(NOTE: The Board may move to select one of the following applicants for Outside Legal Counsel for the official misconduct proceedings.)

Garcia Calderon Ruiz, LLP Robert Weisberg, Professor of Law

Continued to December 4, 2007.

Supervisor Sandoval, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

071543 **[Local support for street resurfacing projects to be funded by FY 2007-08 Proposition 1B State Infrastructure Bond funds from the Local Streets and Roads Account]** **Mayor**

Resolution authorizing local support for the street resurfacing projects to be funded by FY 2007-08 Proposition 1B State Infrastructure Bond funds from the Local Streets and Roads Account.

Enacted Number: 648-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Daly

071218 **[Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]** **Supervisors Daly, Ammiano, Mirkarimi, Peskin, Maxwell, Sandoval, Dufty, McGoldrick**

Charter amendment (Second Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents ($0.025) on each one hundred dollars ($100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

Continued as amended to December 4, 2007 with the Board Sitting as Committee of the Whole at 3:00 p.m.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071451 **[Authorization for City to enter into Memorandum of Understanding with other Bay Area cities and counties to govern expenditure of Federal Homeland Security Funds]** **Supervisor Alioto-Pier**

Resolution authorizing City and County officials to enter into a Memorandum of Understanding that (1) establishes procedures for application, allocation and distribution of Federal Urban Areas Security Initiative Program grant funds for fiscal year 2007 and future fiscal years, (2) continues an Urban Area Working Group with other Bay Area governmental entities, and (3) continues San Francisco as the primary grantee and fiscal agent for Urban Areas Security Initiative Program grant funds; further authorizing designated City and County officials to negotiate, execute and file on behalf of the City and County of San Francisco any and all agreements and documents and to take any other action necessary to apply for and receive grant funds under the Federal Urban Areas Security Initiatives Program.

Enacted Number: 638-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megaheed; expressed concern with issues relating to the homeless and wished a Happy Thanksgiving to the Board members

James Chaffee; expressed concern with issues relating to the SF Public Library

Male speaker; expressed concern with issues relating to City officials

Male speaker; expressed concern issues with relating to skateboard issues and not being allowed to bring his skate board to City Hall

Female speaker from SEIU; submitted a petition relating to increasing the retirement benefits for miscellaneous City employees

Slyvia Alvarez-Lynch; showed interest in increasing retirement benefits for miscellaneous City employees

Richard Robinson; expressed concern issues relating to general issues

Male speaker; expressed concern with issues relating to the homeless

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

CLOSED SESSION

071555 **[Closed Session - Conference with the City's Human Resources Director]**

Motion that the Board of Supervisors convene in closed session with the City's Human Resources Director, or her designated representative, pursuant to Government Code section 54957.6 and San Francisco Administrative Code section 67.10(e) regarding a potential charter amendment to address the cost and funding of retiree medical benefits.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

The Board recessed at the hour of 3:38 p.m. to convene in closed session pursuant to the above motion.

Calling the Roll

The following Supervisors were noted present:

Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Persons in attendance:

Cheryl Adams, Deputy City Attorney

Ed Harrington, Controller

Monique Zmuda, Deputy Controller

Micki Callahan, Director Human Resources

Stever Ponder, Department of Human Resources

Clare Murphy, Executive Director SF Employees Retirement

Caryn Bortnick, Deputy City Attorney

Reconvening of the Board

The Board at the hour of 4:18 p.m. reconvened.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE

REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

Supervisor Mirkarimi was noted absent at 3:34 p.m

071566 [Approval of an additional 120 day extension for Planning Commission review in order to allow for a Recreation and Parks Commission Hearing and to complete an addendum to an associated environmental impact report] **Supervisor Mirkarimi**

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend Sectional Map 2 of the Zoning Map of the City and County of San Francisco to a date within two weeks of the environmental review hearing for the same action. The proposed Ordinance would specifically change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; and making environmental findings and findings of consistence with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 646-07

ADOPTED

071569 [Joanne Pang Foundation] **Supervisors Elsbernd, Chu**

Resolution commending The Joanne Pang Foundation for its fundraising campaign to create the first Northern California Umbilical Cord Blood Bank.

Supervisor Chu requested to be added as a co-sponsor.

Enacted Number: 645-07

ADOPTED

071570 [Honoring Marcus Garvey] **Supervisor Mirkarimi**

Resolution urging the Department of Public Works to Honor Marcus Garvey by Renaming Eddy Street Between Laguna and Divisadero "Marcus Garvey Way" and Proclaiming August 17th Marcus Garvey Day in San Francisco.

Enacted Number: 642-07

ADOPTED

071571 [Landmark Designation Nomination for Tree Located at 1245 Masonic Avenue] **Supervisors Mirkarimi, Peskin**

Resolution of intent initiating the nomination of the Black Acacia Tree at 1245 Masonic Avenue for landmark tree status pursuant to Public Works Code Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code

Section 810(d), and authorizing other official acts in furtherance of this Resolution.

Enacted Number: 644-07

ADOPTED

071573 [Urging the Federal Government to impose stricter regulations on international ship traffic and supporting the Marine Vessel Emissions Reduction Act of 2007] **Supervisor Sandoval**

Resolution urging the Federal Government to impose stricter regulations on international ship traffic and supporting the Marine Vessel Emissions Reduction Act of 2007.

Enacted Number: 641-07

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Mirkarimi

Severed from Without Reference to Committee Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

071572 [Urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships] **Supervisor Sandoval**

Resolution urging the Port of San Francisco to prohibit any vessel that uses heavy bunker oil from docking on Port property.

REFERRED to the Public Safety Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding] Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Elsbernd, seconded by Supervisor Chu, moved ADOPTION of the Serious Injury finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution (s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Chu, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

071584 [Public Safety Interoperable Communications (PSIC) Grant] **Supervisor Elsbernd**

Resolution authorizing designated City and County officials to execute and file on behalf of San Francisco, a public entity established under the laws of the State of California, any documents or take any actions necessary of obtain federal financial assistance provided by the U.S. Department of Commerce and the U.S. Department of Homeland Security and subgranted through the State of California under the Fiscal Year 2007 Public Safety Interoperable Communications (PSIC) Grant; and authorizing designated City and County officials to enter into a Memorandum of Understanding with subrecipient jurisdictions (as enumerated by the Urban Areas Security Initiative Working Group) to distribute grant funds received; and authorizing the Department of Emergency Management to continue acting as primary fiscal agent for the distribution of the PSIC grant funds.

Enacted Number: 639-07

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved ADOPTION of the Purely Commendatory finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution

(s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

071582 [Declaring December 3, 2007 as Anita Fadeeff day in the City and County of San Francisco] **Supervisor Sandoval**

Resolution honoring Anita Fadeeff on the occasion of her one hundredth birthday and declaring December 3, 2007 as Anita Fadeeff Day in the City and County of San Francisco.

Enacted Number: 643-07

ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Sandoval, moved ADOPTION of the Purely Commendatory finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution (s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Sandoval, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Mirkarimi

071583 [Commending the US Women's Bridge Team winners of the Venice Cup and welcoming the American Contract Bridge league to San Francisco for their 2007 National Tournament] **Supervisors Ammiano, Dufty, Mirkarimi, Daly, McGoldrick**

Resolution welcoming the American Contract Bridge League to San Francisco for the National Tournament and Commending the US Women's Team winners of the Venice Cup.

Enacted Number: 640-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 1 - Mirkarimi

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071595 **[Transferring the powers and duties of the Taxi Commission to the Municipal Transportation Agency and setting operative date for transfer]** **Mayor**

Ordinance amending the San Francisco Police Code by adding Section 1075.1, to transfer the powers and duties of the Taxi Commission to the Municipal Transportation Agency, and setting an operative date for the transfer.

11/20/07, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/20/2007.

071596 **[Audio or video recording of public meetings held in City Hall hearing rooms]** **Supervisor Mirkarimi**

Ordinance amending Section 67.14 of the Administrative Code to require that any public meeting held in a City Hall hearing room that is equipped with audio or video recording facilities be audio or video recorded and to further require that such audio or video recording be made available for review on the City's web site.

11/20/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/20/2007.

071597 **[Accept-Expend FY 07 Community Oriented Policing Services Grant and Amend Annual Salary Ordinance, FY 2007-2008]** **Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Community Oriented Policing Services (COPS) grant in the amount of $5,733,986 from the United States Department of Justice and to provide $406,002 as San Francisco's portion of required matching funds; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of one position (0.75 FTE) IS Project Director in the Department of Emergency Management (ECD).

11/20/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071607 **[Trans Fat Free Program Ordinance]** **Supervisors Maxwell, Peskin, Ammiano, Alioto-Pier, McGoldrick**

Ordinance amending the San Francisco Health Code by adding Article 37, Sections 3701 through 3711, to: (1) encourage restaurants located in the City and County of San Francisco to discontinue the use of artificial trans fat in food served to customers by creating an incentive program, and (2) provide regulations for the voluntary trans fat free program.

11/20/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 12/20/2007. 11/28/07 - Sent referral letter to the Small Business and Youth Commission for comment and recommendation.

071561 **[Prohibiting Formula Retail in the Mission/Bernal Formula Retail Restricted Use Subdistrict]** **Supervisor Ammiano**

Ordinance amending the San Francisco Planning Code by adding Section 785 to establish the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Planning Code Section 703.3 to prohibit formula retail uses in the Mission/Bernal Formula Retail Restricted Use Subdistrict; amending Sectional Maps SU 07 and SU 11 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Mission/Bernal Formula Retail Restricted Use Subdistrict; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Economic Impact

11/13/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/13/2007.

11/20/07, REFERRED TO DEPARTMENT. Referred to Small Business Commission and Planning Commission for review and comment.

11/20/07, SUBSTITUTED. Supervisor Ammiano submitted a substitute ordinance bearing new title.

11/20/07, ASSIGNED to Land Use and Economic Development Committee.

071464 **[Zoning - Ordinance Creating the Excelsior Alcohol Restricted Use District and the North Beach Alcohol Restricted Use District]** **Supervisors Sandoval, Peskin**

Ordinance amending the San Francisco Planning Code by adding Section 785 to create an Excelsior Alcohol Restricted Use District prohibiting new off-sale liquor establishments and providing for a five-year sunset provision; adding Section 786 to create a North Beach Alcohol Restricted Use District prohibiting new on- and off-sale liquor establishments; amending Sectional Maps SU 11 and SU 12 of the Zoning Map of the City and County of San Francisco to establish the boundaries of the Excelsior Alcohol Restricted Use District, which generally consist of the blocks fronting both sides of Mission Street from Silver Avenue to the Daly City border; amending Section Map SU 01 to establish the boundaries of the North Beach Alcohol Restricted Use District, which are co-terminous with the North Beach Neighborhood Commercial District; adopting findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/23/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/30/07, ASSIGNED to Land Use and Economic Development Committee.

10/30/07, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/1/07, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission for review and comments.

11/13/07, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing the same title.

11/13/07, ASSIGNED to Land Use and Economic Development Committee.

11/16/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

11/20/07, SUBSTITUTED. Supervisor Sandoval submitted substitute ordinance bearing new title

11/20/07, ASSIGNED to Land Use and Economic Development Committee.

Resolutions

071572 **[Urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships]** **Supervisor Sandoval**

Resolution urging the Port of San Francisco to prohibit any vessel that uses heavy bunker oil from docking on Port property.

11/13/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

11/20/07, REFERRED to Public Safety Committee.

071582 **[Declaring December 3, 2007 as Anita Fadeeff day in the City and County of San Francisco]** **Supervisor Sandoval**

Resolution honoring Anita Fadeeff on the occasion of her one hundredth birthday and declaring December 3, 2007 as Anita Fadeeff Day in the City and County of San Francisco.

11/20/07, ADOPTED.

071583 **[Commending the US Women's Bridge Team winners of the Venice Cup and welcoming the American Contract Bridge league to San Francisco for their 2007 National Tournament]** **Supervisors Ammiano, Dufty, Mirkarimi, Daly, McGoldrick**

Resolution welcoming the American Contract Bridge League to San Francisco for the National Tournament and Commending the US Women's Team winners of the Venice Cup.

11/20/07, ADOPTED.

071584 **[Public Safety Interoperable Communications (PSIC) Grant]** **Supervisor Elsbernd**

Resolution authorizing designated City and County officials to execute and file on behalf of San Francisco, a public entity established under the laws of the State of California, any documents or take any actions necessary of obtain federal financial assistance provided by the U.S. Department of Commerce and the U.S. Department of Homeland Security and subgranted through the State of California under the Fiscal Year 2007 Public Safety Interoperable Communications (PSIC) Grant; and authorizing designated City and County officials to enter into a Memorandum of Understanding with subrecipient jurisdictions (as enumerated by the Urban Areas Security Initiative Working Group) to distribute grant funds received; and authorizing the Department of Emergency Management to continue acting as primary fiscal agent for the distribution of the PSIC grant funds.

11/20/07, ADOPTED.

071592 **[Requiring energy conservation by all City departments, agencies and other municipal bodies]** **Supervisor Alioto-Pier**

Resolution requiring the San Francisco Public Utilities Commission to encourage energy conservation by placing all City departments, agencies and other municipal bodies on demand response.

11/20/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071593 **[Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]** **Supervisor Elsbernd**

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed $17,100,000.

(Supervisor Daly dissented in Committee.) (Fiscal Impact.)

11/20/07, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

071594 **[Grant to support substance abuse and HIV/AIDS related services]** **Supervisors Dufty, Ammiano**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the Substance Abuse and Mental Health Services Administration and the Center for Substance Abuse Treatment (SAMHSA/CSAT) in the amount of $397,919 for the period of September 30, 2007 through September 29, 2008, and a subcontract with Asian and Pacific Islander Wellness Center for $318,619 for the same time period.

11/20/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071600 **[Commending the Neighborhood Emergency Response Team (NERT) Training Program]** **Supervisors Chu, Alioto-Pier, Dufty**

Resolution commending the San Francisco Neighborhood Emergency Response Team

(NERT) Training Program for their efforts in the Cosco Busan oil spill clean-up.
11/20/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071601 **[Commending the Red Cross, Bay Area Chapter]** **Supervisors Chu, Alioto-Pier, Dufty**

Resolution commending the Red Cross, Bay Area Chapter for their efforts in the Cosco Busan oil spill clean-up.
11/20/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071602 **[Commending SF Connect]** **Supervisors Chu, Alioto-Pier, Dufty**

Resolution commending SF Connect for their efforts in the Cosco Busan oil spill clean-up.
11/20/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071603 **[Commending The Volunteer Center]** **Supervisors Chu, Alioto-Pier, Dufty**

Resolution commending the Volunteer Center for their efforts in the Cosco Busan oil spill clean-up.
11/20/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071604 **[Biodiesel Filling Station Permitting, Policies and Creation Extension of Biodiesel Access Taskforce]** **Supervisor McGoldrick**

Resolution extending the Biodiesel Access Taskforce to continue developing and recommending to the appropriate City departments, including the Board of Supervisors and Mayor, a permitting process for biodiesel filling stations and incentives for such stations to be located in the City; urging the San Francisco Unified School District to pursue the use of biodiesel blends in school buses; establishing a City policy to request biodiesel usage in City contracts involving diesel fleets.
11/20/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071605 **[Urging the Department of Public Works to immediately assemble a working group to develop a "Citizens How To Kit" assisting citizens in determining their options to help underground their neighborhood]** **Supervisors Dufty, Alioto-Pier**

Resolution urging the Department of Public Works to immediately assemble a working group to develop a "Citizens How To Underground Kit" providing citizens with advice and information on their options to help underground their neighborhood.

11/20/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT

THE NEXT BOARD MEETING.

Requests for Hearing

071585 **[Hearing - SFUSD School Libraries]** **Supervisor Dufty**

Hearing on school libraries in the San Francisco Unified School District, including a report on increased staff and programming that has been put in place through support from the Public Education Enrichment Fund, a report from the School District outlining additional needs in libraries including technology and other needs and a report from the Controller assessing the additional expenditures necessary in order for all school libraries to be open five days per week.

11/20/07, RECEIVED AND ASSIGNED to City and School District Select Committee. Supervisor Dufty requesting hearing be assigned to the City and School District Select Committee. 11/28/07 - Sent referral letter to the Youth Commission for comment and recommendation.

071586 **[Hearing - Working Conditions in the Private Security Industry]** **Supervisor Peskin**

Hearing to discuss working conditions in the private security industry in San Francisco and the responsibility of commercial real estate industry and building owners to help improve those conditions.

11/20/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071588 **[Hearing at the Full Board on the response to the November 7, 2007 oil spill in the San Francisco Bay]** **Supervisor Alioto-Pier**

Hearing to examine the response of the various agencies involved in the response to the oil spill, including the Coast Guard and the Golden Gate National Recreation area, and their coordination with City agencies, including the Department of Emergency Management. The hearing will further examine how response decisions were made and communicated to the relevant parties.

11/20/07, ASSIGNED to Board of Supervisors. Scheduled for Board consideration December 4, 2007

071598 **[Hearing - Violence Prevention]** **Supervisor Mirkarimi**

Hearing to discuss the City and School District's programs and curricula regarding violence prevention and conflict resolution and to receive a presentation of the TKF Foundation regarding their violence prevention programs.

11/20/07, RECEIVED AND ASSIGNED to City and School District Select Committee. 11/28/07 - Sent referral letter to the Youth Commission for comment and recommendation.

Motions

071587 **[Legislative Analyst Report - J Power USA]** **Supervisor Alioto-Pier**

Motion requesting the Legislative Analyst research on J Power USA and its parent company, J Power.

11/20/07, ASSIGNED to Board of Supervisors. Scheduled for Board consideration December 4, 2007

071599 **[Committee of the Whole - December 4, 2007 regarding the November 7, 2007 Oil Spill]** **Supervisor Alioto-Pier**

Motion scheduling the Board to sit as a Committee of the Whole to review the City's response to the oil spill, to be held on December 4, 2007.

11/20/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071606 **[2008 Board of Supervisors Meeting Schedule]**

Motion revising the regular meeting schedule of the Board of Supervisors by canceling the January 22, 2008, February 19, 2008, May 27, 2008, July 1, 2008, September 30, 2008, October 14, 2008, November 11, 2008, December 2, 2008, December 23, 2008 and December 30, 2008 meetings and by canceling all Board and Committee meetings from August 13 through September 2, 2008. (Clerk of the Board)

11/20/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Charter Amendments

071589 **[Charter Amendment - City Elections In Even-Numbered Years]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend Section 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

11/20/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/20/2007. (Referred to Departments.)

071590 **[Charter Amendment - Providing for the election of members of the Municipal Transportation Agency's Board of Directors. their compensation, and their service as members of the Parking Authority Commission]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend Sections 8A.102, 8A.112, 13.101, 13.101.5, and 15.105 to provide for the election of members of the Municipal Transportation Agency's Board of Directors, setting their compensation, and fixing their status as members of the Parking Authority Commission.

11/20/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/20/2007.

(Referred to Departments.)

071591 **[Charter Amendment - Making it City policy to consider and as appropriate support the nomination, appointment and confirmation of female and minority candidates to fill seats on appointive boards, commissions, or advisory bodies]** **Supervisor McGoldrick**

Charter Amendment (First Draft) to amend Section 4.101 to make it City policy to consider and as appropriate support the nomination, appointment and confirmation of female and minority candidates to fill seats on appointive boards, commissions, or advisory bodies.

11/20/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 12/20/2007. (Referred to Departments.)

PROPOSED ORDINANCES

071544 **[Landmark Designation of 1601 Larkin Street (the First St. John's United Methodist Church)]**

Ordinance Designating 1601 Larkin Street, the First St. John's United Methodist Church, (Assessor's Block Number 0620, Lot Number 006), a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Commission)

11/6/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

PROPOSED RESOLUTIONS

071551 **[Approving Agreement to Implement the Term Sheet between the San Francisco Public Utilities Commission and Modesto Irrigation District for a Long Term Power Sales Agreement pursuant to Charter Section 9.118 (a) with a term through June 30, 2015]**

Resolution approving Agreement to Implement the Term Sheet between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Modesto Irrigation District and authorizing the General Manager to implement the Term Sheet by incorporating the terms thereof into a new Long Term Power Sales Agreement and executing the same. (Public Utilities Commission)

11/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071552 **[Approving Water System Improvement Program (WSIP) Agreement]**

Resolution approving Amendment No. 1 to Agreement No. CS-765 of the San Francisco

Water System Improvement Program (WSIP) - Program/Project/Pre-Construction Management Services with Parsons Water and Infrastructure. (Public Utilities Commission)

(Fiscal Impact.)

11/9/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071553 **[Authorizing Tax Collector Attorney to file suit against a responsible relative of recipient of services at City hospitals to recover value of services]**

Resolution authorizing Tax Collector Attorney to file suit against a responsible relative to recover value of services rendered at hospital facilities operated by the San Francisco Department of Public Health. (Treasurer-Tax Collector)

11/9/07, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Sandoval
To: City Attorney

Requesting/Inquiring: Requesting that the City Attorney draft legislation requiring conditional use approval before any dollar store can open in any of the City's Neighborhood Commercial Districts.

From: Supervisor Sandoval
To: Clerk of the Board

Requesting/Inquiring: Requesting the Clerk of the Board to send a letter to the San Francisco Public Utilities Commission inquiring about what dust control measures are currently in place on the project to replace the sewer line running underneath Mission Street between Mount Vernon and Sickles Avenues. Also requesting the PUC to develop additional dust control measures such as watering to ensure that the neighborhood commercial district is not adversely impacted.

From: Supervisor McGoldrick
To: City Attorney
To: Budget Analyst

Requesting/Inquiring: Please explore the possibilities of making prostitution a low priority offense in San Francisco. As a sanctuary city, it is important that San Francisco take the lead in promoting public safety and public health for consenting adults in an industry that currently exists.

I would also like the Budget Analyst to study the actual statistics and associated costs of arrests of prostitutes, johns, and other related individuals, etc.; the incarceration of these individuals; to study the funding and budgets any programs that may be tailored to these individuals (in all City Departments); court costs, etc.

From: Supervisor Dufty
To: City Attorney
To: Director, Mayor's Office of Public Finance

Requesting/Inquiring: Requests for the City Attorney and the Mayor's Office of Public Finance to analyze potential funding mechanisms, taxing districts or other financial revenue streams that would simplify the ability for San Francisco residents to participate in utility undergrounding on a citywide basis.

From: Supervisors Dufty & Alioto-Pier
To: City Attorney

Requesting/Inquiring: Requests the City Attorney to draft legislation that will prohibit any new overhead utility wires from being connected from private residences to the utility poles and requiring all newly constructed private residences to underground their wires from the property line to the public right of way based on the model used by the City of Oakland, CA.

From: Supervisor Alioto-Pier
To: Director, Human Rights Commission

Requesting/Inquiring: On October 23, 2007 the San Francisco Board of Supervisors passed a resolution urging neighboring nations and major investors to defend peaceful pro-democracy demonstrators in Burma (071444). The Mayor signed the resolution on October 29, 2007.

The City of San Francisco is considering entering a contract with J Power to build four combustion turbines.

J-Power did a feasibility study on the damming of the Salween River to create a hydropower plant in the Shan State or Burma/Myanmar. The construction of the dam is linked to alleged human rights atrocities committed by the military junta that rules Burma.

In July 2007, AidWatch noted that "Forced labor", forced relocation, rape and murder are common tactics used by military to tyrannize the indigenous communities under the veil of "national development." According to the Burmese Relief Center, the Burmese government has engaged in massive forced relocation of over 300,000 people in connection with the dam.

I hereby request that the Human Rights Commission examine J Power's role in the building of the dam and the alleged human rights violations and report back to the board on the appropriateness of the City of San Francisco entering into a contract with J Power, particularly in light of resolution 071444.

From: Supervisor Mirkarimi
To: Director, Municipal Transportation Agency
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requests that the Municipal Transportation Agency and Department of Parking and Traffic provide recommendations for improving pedestrian safety and the overall safety of the intersection of Haight and Broderick.

From: Supervisor Mirkarimi
To: Director, Public Utilities Commission

Requesting/Inquiring: Requests that the Public Utilities Commission report on the status of removing graffiti from utility poles at the following locations:

Metal:

All Four corners of Haight and Laguna

218 Haight Street

Southeast corner of Octavia and Haight

Northeast corner of 9th and Irving

Wooden

1328 18th Avenue

Southeast corner of 12th Avenue and Lincoln

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requests that the Department of Parking and Traffic report on the status of removing graffiti from the following DPT/MTA property:

Meters

Hayes Street between Buchanan and Franklin

DPT Parking lot at 8th & 9th Avenue and Irving and Judah

Pedestrian Crossing Signal

All corners of Ashbury and Oak

All corners of Oak and Lyon

Signs

"No Pedestrian Crossing" signs at Gough and Oak

"No Pedestrian Crossing" signs at Gough and Fell

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requests that the Department of Parking and Traffic report on the status of removing graffiti at the following locations:

Phone Switch Boxes

Southeast corner of 5th Avenue and Irving

Northeast corner of Waller and Stanyan

Light Switch Boxes

Southeast corner of 9th Avenue and Irving

Southeast corner of Funston and Irving

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requests that the Department of Public Works report on the status of removing graffiti from newsstands at the following locations:

Asia Week

Southeast corner of 9th Avenue and Irving

Chronicle

Northeast corner of 9th Avenue and Judah

Northwest corner of 9th Avenue and Judah

Southeast corner of Laguna and Page

Northeast corner of Stanyan and Waller

Examiner

Northeast corner of 4th Avenue and Irving

Guardian

Northwest corner of Laguna and Hayes

SF Weekly

Northwest corner of Funston and Irving

Southeast corner of 9th Avenue and Irving

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requests that the Department of Public Works report on the status of removing graffiti at the following locations:

Sidewalk

In front of 615 Cole

Phone Booth

445 Hayes Street

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requests that the Department of Public Works report on the status of repairing potholes at the following locations:

144 Hugo

230 Hugo

572 Grove

300 Block of Haight Street (multiple potholes)

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requests that the Department of Public Works report on the status of removing graffiti at the following private property locations:

209 Lincoln Way

225 Lincoln Way

319-321 Haight Street

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requests that the Department of Public Works report on the status of removing the graffiti from mailboxes at the following locations:

Mailboxes

Southwest corner of 6th Avenue and Kirkham

Northeast corner of 14th Avenue and Judah

Northeast corner of 7th Avenue and Hugo

Southeast corner of 10th Avenue and Lincoln

Northwest corner of Haight and Octavia

Northeast corner of Haight and Laguna

Southwest corner of Haight and Gough

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requests that the Department of Parking and Traffic report on the status of removing graffiti from parking signs and poles at the following locations:

Kirkham between 4th Avenue and 9tha Avenue (mostly black frames)

6th Avenue between Kirkham and Irving (mostly black frames)

8th Avenue between Kirkham and Judah

Hugo between Argullo and 7th Avenue

3rd Avenue between Lincoln and Irving

Oak between Fillmore and Laguna

Laguna between Haight and Oak

From: Supervisor Mirkarimi
To: Director, Public Utilities Commission

Requesting/Inquiring: Requests that the Public Utilities Commission report on the status of removing/repairing a street light at or near the intersection of Duboce and Fillmore.

From: Supervisor Mirkarimi
To: City Attorney

Requesting/Inquiring: Requesting the City Attorney draft an ordinance creating a Mental Health Care/Acute Psychiatric Care Task Force to review the current status of the City's delivery of Mental Health Care/Acute Psychiatric Care services and make recommendations as to best practices of public policy in order to improve the City's delivery of this essential service.

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requests that the Department of Parking and Traffic report on the status of replacing the "STOP" sign at the exit of the DPT parking lot between Irving and Judah and 8th Avenue and 9th Avenue.

From: Supervisor Mirkarimi
To: Director, Department of Emergency Management

Requesting/Inquiring: Requests the Department of Emergency Management respond to the November 7th, 2007 oil spill. (See attached letter)

From: Supervisor Mirkarimi
To: Chief, San Francisco Fire Department

Requesting/Inquiring: Requests the San Francisco Fire Department respond to the November 7th, 2007 oil spill. (See attached letter)

In Memoriams

Madeleine Mei lin Kwok- Supervisor Peskin

Massimo Consoli - Supervisor Ammiano

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:19 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 8, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

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Board of Supervisors

December 04, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, December 4, 2007

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*Jake McGoldrick.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisor McGoldrick was noted absent.

There was a quorum present.

Supervisor McGoldrick was excused from attending today's meeting.

Supervisor McGoldrick Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to approve the November 6, 2007 and November 13, 2007 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Alioto-Pier, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the Mayor of San Salvador. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

071433 [Public Employment - Department of Public Health] Supervisors Mirkarimi, Maxwell, Ammiano, Dufty

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance FY 2007-2008) reflecting the addition of 12.90 positions in the Department of Public Health to support acute psychiatric beds at San Francisco General Hospital.

(Fiscal Impact.)

Enacted Number: 275-07

FINALLY PASSED

Recommendations of the Rules Committee

071417 **[Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for $30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of $30,000, that payment of $15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of $15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible. (City Attorney)

PASSED, ON FIRST READING

071459 **[Settlement of Lawsuit - Pacific Gas and Electric Company]**

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for $10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459. (City Attorney)

PASSED, ON FIRST READING

071513 **[Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]**

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC. (City Attorney)

PASSED, ON FIRST READING

071480 [Re-Appointment - Local Homeless Coordinating Board]

Resolution re-appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived. (Controller)

Enacted Number: 669-07

ADOPTED

071548 [Appointment - In-Home Supportive Services Public Authority]

Resolution appointing Gustavo Serina, term ending March 1, 2009, to the In-Home Supportive Services Public Authority.

Gustavo Serina, succeeding Anita Aaron, resigned, seat 7, must be a member of the Commission on the Aging, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2009.

Enacted Number: 664-07

ADOPTED

071483 [Settlement of Grievance - Service Employees International Union, AFL-CIO, Local 790 ("Union")]

Resolution approving the settlement of the grievance (ERD No. 81-06-1465) filed by Service Employees International Union, AFL-CIO, Local 790 ("Union") on behalf of Grievant Victoria Sargent against the City and County of San Francisco for $133,751.52. Other material terms of said settlement is that Grievant and Union shall release all claims relating to Grievant's employment with the City and that Grievant shall be restricted from any future employment with the City. (City Attorney)

Enacted Number: 670-07

ADOPTED

071549 [Appointment - Western SoMa Citizens' Planning Task Force]

Resolution appointing Dennis Juarez, term ending June 30, 2008, to the Western SoMa Citizens' Planning Task Force, residency requirement waived.

Dennis Juarez (residency requirement waived), succeeding Terrance Alan, resigned, seat 10, must represent the entertainment industry, for the unexpired portion of a term ending June 30, 2008.

Enacted Number: 668-07

ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

071574 [Adopting findings related to disapproving the Categorical Exemption issued for the 376 Eureka Street project]

Motion adopting findings related to disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to December 11, 2007

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendation of the Budget & Finance Committee

071458 [Amendment to Contract for Electric Services]

Ordinance approving the amendment between the City and County of San Francisco and the United States, through the Department of Energy Western Area Power Administration, for the performance of duties and obligations of a Scheduling Coordinator pursuant to the California Independent System Operator Tariff and for the delivery of low cost electric power to Treasure Island and Yerba Buena Island on file with the Clerk of the Board of Supervisors in File No. 041351; and approving the City indemnifying and holding the United States harmless against claims arising from the activities of the City under the contract, and waiving the requirement of Section 21.19 of the San Francisco Administrative Code which requires that a City contract contain a statement of guaranteed maximum costs, and waiving the requirement of Section 21.35 of the San Francisco Administrative Code which requires that every contract contain a statement regarding liability of claimants for submitting false claims. (Public Utilities Commission)

(Fiscal Impact.)

Enacted Number: 276-07

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

071541 [Appropriating $8,890,628, of additional Proposition 1B State Funds revenue for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008] **Mayor, Supervisor Elsbernd**

Ordinance appropriating $8,890,628 of additional Proposition 1B State Funds for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008. The department will use the accelerated appropriations of bond funds from the state to fund projects for which design money has already been appropriated and were included in the City's FY 2008-09 capital program.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Land Use and Economic Development Committee

071215 [Initiate the designation of the Metro Theater, 2055 Union Street as a Landmark] **Supervisor Alioto-Pier**

Resolution initiating designation of the Metro Theater, 2055 Union Street, located on the south side of Union Street, encompassing all of Lot 018 in Block 541, as a Landmark pursuant to Section 1004.1 of the San Francisco Planning Code.

Enacted Number: 672-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

071303 **[CalHome Application]** **Mayor**

Resolution authorizing the Mayor's Office of Housing to accept and expend $1,000,000 from the California Department of Housing and Community Development and to execute any related documents necessary to participate in the CalHome Program.

Enacted Number: 667-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

Recommendations of the Rules Committee

Supervisor Chu Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Chu from voting on File Nos. 071535 and 071645. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Chu, McGoldrick

071535 **[Appointment - Urban Counties Caucus]** **Supervisor Peskin**

Resolution appointing Supervisor Carmen Chu, term ending December 31, 2008 to the Urban Counties Caucus.

Enacted Number: 655-07

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Chu, McGoldrick

071546 **[Appointment - California State Association of Counties]**

Resolution appointing Supervisor Carmen Chu, term ending November 28, 2008, as an alternate member to the California State Association of Counties Board of Directors.

Enacted Number: 656-07

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Chu, McGoldrick

071547 [Appointment - California State Association of Counties]

Resolution appointing Supervisor Jake McGoldrick, term ending November 28, 2008, to the California State Association of Counties Board of Directors.

Enacted Number: 666-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

From the Rules Committee Without Recommendation

Supervisor Chu Excused From Voting

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved to excuse Supervisor Chu from voting on this matter due to a possible conflict of interest. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Chu, McGoldrick

071538 [Imposing a suppression order upon the Board of Supervisors] Supervisor Sandoval

Motion self-imposing a suppression order upon members of the Board of Supervisors and its staff after the Ethics Commission has forwarded to the Board a recommendation in the official misconduct proceedings against Supervisor Edmund Jew.

Continued to January 8, 2008

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 2 - Chu, McGoldrick

Board of Supervisors Sitting as a Committee of the Whole

071488 [Public hearing relating to consideration and possible selection for outside Legal Counsel to advise and represent the Board of Supervisors in the official misconduct

proceedings against Supervisor Edmund Jew]

Hearing to allow applicants to present their qualifications and allow members of the public to comment on applications submitted for providing services to the Board of Supervisors for the official misconduct proceedings against Supervisor Edmund Jew; possible selection by the Board of Supervisors, from one of the following two applicants, for outside Legal Counsel for said official misconduct proceedings.

(NOTE: The Board may move to select one of the following applicants for Outside Legal Counsel for the official misconduct proceedings.)

Garcia Calderon Ruiz, LLP Robert Weisberg, Professor of Law

The President inquired as whether any member of the public wished to address the Board members.

Members of the Garcia Calderon Ruiz, LLP

Mary Hernandez, Attorney at Law

George Yin, Attorney at Law

Nicolas Vaca, Attorney at Law

Robert Weisberg, Professor of Law

The President declared the Public hearing closed.

Supervisor Sandoval, seconded by Supervisor Ammiano, moved to direct the Clerk of the Board to enter into an agreement with Robert Weisberg, Professor of Law, to provide services as the outside legal counsel for the official misconduct proceedings against Supervisor Edmund Jew.

HEARD AT PUBLIC HEARING.

Board of Supervisors Sitting as a Committee of the Whole

071588 **[Hearing at the Full Board on the response to Supervisor Alioto-Pier the November 7, 2007 oil spill in the San Francisco Bay]**

Hearing to examine the response of the various agencies involved in the response to the oil spill, including the Coast Guard and the Golden Gate National Recreation area, and their coordination with City agencies, including the Department of Emergency Management. The hearing will further examine how response decisions were made and communicated to the relevant parties.

The President inquired as whether any member of the public wished to address the Board members.

Continued to January 29, 2008

Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

071218 **[Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]** **Supervisors Daly, Ammiano, Mirkarimi, Peskin, Maxwell, Sandoval, Dufty, McGoldrick**

Charter amendment (Second Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents ($0.025) on each one hundred dollars ($100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Charter Amendment be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Alioto-Pier, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Anita Fadeef in recognition of her 100th Birthday celebration.

Supervisor Dufty introduced, welcomed and presented a Certificate of Honor to Virgina Harmon, in recognition of her service as the Director of the Human Rights Commission.

Supervisor Alioto-Pier was noted absent at 5:40 p.m.

SPECIAL ORDER 4:00 P.M.

071265 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 2721 Pierce Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 19, 2007, Case No. 2006.1415D, (Building Permit Application No. 2006.07.03.5586) is exempt from environmental review under Categorical Exemption, [State CEQA Guidelines, Section 15301 Class 1]. The proposal consists of adding two windows on the facade, removing a rear sun porch and adding a two-story rear addition at 2721 Pierce Street, Lot 006 in Assessor's Block 0560. (Appellants: Susan Brandt-Hawley on behalf of Judge Carlos Bea and Louise Bea)

(Filed August 31, 2007; Companion Files to 071266, 071267, 071268; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to February 26, 2008.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

071266 **[Affirming the Categorical Exemption issued for 2721 Pierce Street]**

Motion affirming the determination by the Planning Department that the 2721 Pierce Street Project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to February 26, 2008.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

071267 **[Disapproving the Categorical Exemption issued for 2721 Pierce Street]**

Motion disapproving the determination by the Planning Department that the 2721 Pierce Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Continued to February 26, 2008.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

071268 **[Preparation of findings related to the 2721 Pierce Street Project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2721 Pierce Street is exempt from environmental review under the California Environmental Quality Act.

Continued to February 26, 2008.

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

SPECIAL ORDER 4:00 P.M.

070910 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 3424 Jackson Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 31, 2007 (Case No. 2005.1134E), exempting from environmental review under Categorical Exemption Class 1, [State Guidelines, Section 15301(e)(1)]. The proposal would construct an addition of approximately 780 square feet (sq ft) of new space, room repartitions, removal of a rear fire escape, and addition of a new rear egress staircase and three decks to a 6,510-sq ft, 35-foot-high, four-story, single-family dwelling constructed circa 1921. The proposed alterations would result in a building approximately 7,289 sq ft and 35 feet high with enlarged ground, first, second, and third floors to the rear (about 487 sq ft of additional space), and enlarged fourth floor toward the front of the building (an expansion of 292 sq ft). The site is a rectangular 4,469-sq ft parcel (Assessor's Block 0971; Lot 003B). The project site, located in the Presidio Heights neighborhood is zoned RH-1 (Residential, House - One Family) and is within a 40-X height and bulk district.
(Appellant: Howard N. Ellman on behalf of Mr. and Mrs. Karkar)

(Filed June 14, 2007; companion measure to 070911, 070912, 070913; District 2.)

The President inquired as to whether any member of the public wished to address the Board members.

Continued to January 8, 2008

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Categorical Exemption from Environmental Review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

070911 [Affirming the Categorical Exemption issued for the 3424 Jackson Street project]

Motion affirming the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 8, 2008

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

070912 **[Disapproving the Categorical Exemption issued for the 3424 Jackson Street project]**

Motion disapproving the determination by the Planning Department that the 3424 Jackson Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 8, 2008

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

070913 **[Preparation of findings related to the 3424 Jackson Street project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 3424 Jackson Street is exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to January 8, 2008

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

COMMITTEE REPORTS

071523 **[Accept-Expend Federal Pass Through Grant - Department of Emergency Management, Division of Emergency Services]** **Supervisor Elsbernd**

Resolution authorizing the Department of Emergency Management, Division of Emergency Services, to accept and expend a Federal pass through grant in the amount of $1,723,887 from the Governor's Office of Homeland Security for three grant programs: the State Homeland Security Program (SHSP), the Law Enforcement Terrorism Prevention Program (LETPP), and the Metropolitan Medical Response System (MMRS).

Enacted Number: 665-07

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

071597 **[Accept-Expend FY 07 Community Oriented Policing Services Grant and Amend Annual Salary Ordinance, FY 2007-2008]** **Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Community Oriented Policing Services (COPS) grant in the amount of $5,733,986 from the United States Department of Justice and to provide $406,002 as San Francisco's portion of required matching funds; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of one position (0.75 FTE) IS Project Director in the Department of Emergency Management (ECD).

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

070678 **[Planning - institutional master plan review for medical institutions]** **Supervisors Maxwell, Ammiano, Alioto-Pier, Sandoval, McGoldrick**

Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship between the City's long-term health care needs and facility planning for medical institutions as part of the Institutional Master Plan and revisions process; clarifying and updating the Institutional Master Plan process through minor changes to generally applicable institutional master plan requirements, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval

Excused: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megahed; expressed concern with issues relating to health care for the homeless

Male speaker; expressed concern with issues relating to Falon Gung not being allowed to participate in the Chinese Parade

Male speaker; expressed concern with issues relating to Falon Gung not being allowed to participate in the Chinese Parade

James Chaffee; expressed concern with issues relating to the SF Public Library

Eugene Gordon, Jr.; expressed concern with issues relating to the violations of human rights

Peter Warfield; expressed concern with issues relating to the fines and fees to be proposed by the SF Library

John di Donna; expressed concern with issues relating to the violation of the freedom of speech

Bruce Ellison; expressed concern with issues relating to senior housing

Richard Robinson; expressed concern with issues relating to cooking oil

Francisco da Costa; expressed concern with issues relating to the oil spill on the bay and the way in which it was handled by City agencies

Tom Pickerello; showed support for the Project Connect program

Male speaker; expressed concern with issues relating to transportation

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

071587 **[Legislative Analyst Report - J Power USA]** **Supervisor Alioto-Pier**

Motion requesting the Legislative Analyst research on J Power USA and its parent company, J Power.

APPROVED by the following vote:

Ayes: 7 - Ammiano, Chu, Daly, Dufty, Elsbernd, Mirkarimi, Sandoval
Noes: 2 - Maxwell, Peskin
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

071600 **[Commending the Neighborhood Emergency Response Team (NERT) Training Program]** **Supervisors Chu, Alioto-Pier, Dufty**

Resolution commending the San Francisco Neighborhood Emergency Response Team (NERT) Training Program for their efforts in the Cosco Busan oil spill clean-up.

Enacted Number: 660-07

ADOPTED

071601 **[Commending the Red Cross, Bay Area Chapter]** **Supervisors Chu, Alioto-Pier, Dufty**

Resolution commending the Red Cross, Bay Area Chapter for their efforts in the Cosco Busan oil spill clean-up.

Enacted Number: 659-07

ADOPTED

071602 **[Commending SF Connect]** **Supervisors Chu, Alioto-Pier, Dufty**

Resolution commending SF Connect for their efforts in the Cosco Busan oil spill clean-up.

Enacted Number: 658-07

ADOPTED

071603 [Commending The Volunteer Center] **Supervisors Chu, Alioto-Pier, Dufty**

Resolution commending the Volunteer Center for their efforts in the Cosco Busan oil spill clean-up.

Enacted Number: 657-07

ADOPTED

071604 [Biodiesel Filling Station Permitting, Policies and Creation Extension of Biodiesel Access Taskforce] **Supervisor McGoldrick**

Resolution extending the Biodiesel Access Taskforce to continue developing and recommending to the appropriate City departments, including the Board of Supervisors and Mayor, a permitting process for biodiesel filling stations and incentives for such stations to be located in the City; urging the San Francisco Unified School District to pursue the use of biodiesel blends in school buses; establishing a City policy to request biodiesel usage in City contracts involving diesel fleets.

Enacted Number: 674-07

ADOPTED

071605 [Urging the Department of Public Works to immediately assemble a working group to develop a "Citizens How To Kit" assisting citizens in determining their options to help underground their neighborhood] **Supervisors Dufty, Alioto-Pier**

Resolution urging the Department of Public Works to immediately assemble a working group to develop a "Citizens How To Underground Kit" providing citizens with advice and information on their options to help underground their neighborhood.

Enacted Number: 673-07

ADOPTED

071606 [2008 Board of Supervisors Meeting Schedule]

Motion revising the regular meeting schedule of the Board of Supervisors by canceling the January 22, 2008, February 19, 2008, May 27, 2008, July 1, 2008, September 30, 2008, October 14, 2008, November 11, 2008, December 2, 2008, December 23, 2008 and December 30, 2008 meetings and by canceling all Board and Committee meetings from August 13 through September 2, 2008. (Clerk of the Board)

Enacted Number: M07-147

APPROVED

071492 [Final Map - 2443 - 2445 Clement Street]

Motion approving Final Map 4495, a 9 Residential Unit and 1 Commercial Unit Mixed-Use

Condominium Project, located at 2443 - 2445 Clement Street being a subdivision of Lot 050 in Assessors Block No. 1457 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,223; District 1)

Enacted Number: M07-148

APPROVED

071498 [Final Map - 84 Vandewater Street]

Motion approving Final Map 4276, a 5 Unit Residential Condominium Project, located at 84 Vandewater Street being a subdivision of Lot 023 in Assessors Block No. 0041 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

(DPW Order 177,262; District 3)

Enacted Number: M07-149

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

Severed From Without Referecne to Committee Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

071599 [Committee of the Whole - December 4, 2007 Supervisor Alioto-Pier regarding the November 7, 2007 Oil Spill]

Motion scheduling the Board to sit as a Committee of the Whole to review the City's response to the oil spill, to be held on December 4, 2007.

Amended by replacing the date of "December 4, 2007" with "January 29, 2008."

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Motion scheduling the Board to sit as a Committee of the Whole to review the City's response to the oil spill, to be held on January 29, 2008.

Continued to January 29, 2008

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED AS AMENDED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding] Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Elsbernd, seconded by Supervisor Chu, moved ADOPTION of the Serious Injury Finding. The motion carried by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution (s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Elsbernd, seconded by Supervisor Chu, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

071622 [Accept-Expend State Grant - SF Port Commission] Supervisor Peskin
Resolution authorizing the San Francisco Port Commission to accept and expend $1,900,000 in Carl Moyer Program grant funds from the Bay Area Air Quality Management District to fund the construction of a shoreside power facility for cruise ships at Pier 27 and authorizing the Executive Director of the Port to immediately execute any documents required for the implementation of this grant, including any letters of intent, amendments, augmentations or extensions thereof.

Enacted Number: 671-07

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved ADOPTION of the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution (s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

071620 [Commendation for Ashley Wheater] Supervisor Maxwell

Resolution commending San Francisco Ballet Master, Ashley Wheater and proclaiming December 10, 2007 Ashley Wheater day in San Francisco.

Enacted Number: 663-07

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved ADOPTION of the Purely Commendatory Finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution (s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

071621 [Commending Rainbow World Fund and the Tree of Hope Project] **Supervisor Sandoval**

Resolution commending Rainbow World Fund and their work through the Tree of Hope project to encourage peace, love and humanitarianism for San Franciscans and people all over the world.

Enacted Number: 662-07

ADOPTED by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mirkarimi, seconded by Supervisor Daly, moved ADOPTION of the Purely Commendatory Finding. The motion carried by the following vote:
Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution (s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mirkarimi, seconded by Supervisor Daly, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

071623 [Commending the SHARE Foundation on the occasion of its 25th Anniversary] **Supervisor Sandoval**

Resolution commending San Salvador Mayor Violeta Menjivar and the SHARE Foundation on the occasion of the foundation's 25th Anniversary.

Enacted Number: 661-07

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071648 [Requiring the City to give public notice of the termination or expiration of a lease from the School District to the City, when the City has used the leased property in a manner directly serving the public] **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Section 23.28, to require the City to give public notice of the termination or expiration of a lease of property from the San Francisco Unified School District to the City, when the City has used the property under the lease in a manner directly serving the public.

12/4/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/4/2008.

071649 [Zoning - Entertainment Uses] **Supervisor Peskin**

Ordinance amending Sections 102.17, 790.38, and 890.37 of the San Francisco Planning Code to define three types of entertainment use based upon size; amending Sections 1060, 1060.1, 1060.3, 1070, 1070.1 and 1070.3 of the San Francisco Police Code to define the three types of entertainment use authorized by the Planning Code and to require an application and the permit for a place of entertainment or extended-hours activity to specify one of the three types of entertainment use; adopting findings, including environmental findings and findings required by Section 302 of the Planning Code.

12/4/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development

Committee, expires on 1/4/2008.

071651 **[Planning - Administrative Enforcement Remedies]** **Supervisors Sandoval, Maxwell**

Ordinance amending the San Francisco Planning Code by amending Section 176 to authorize the Zoning Administrator to assess administrative penalties for a Planning Code violation; adding Section 176.1 to establish Planning Code enforcement remedies of the Director, which include issuance and recording of orders of abatement, assessment of administrative penalties, and a hearing and appeal process; adopting findings including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/4/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/4/2008.

Resolutions

071620 **[Commendation for Ashley Wheater]** **Supervisor Maxwell**

Resolution commending San Francisco Ballet Master, Ashley Wheater and proclaiming December 10, 2007 Ashley Wheater day in San Francisco.

12/4/07, ADOPTED.

071621 **[Commending Rainbow World Fund and the Tree of Hope Project]** **Supervisor Sandoval**

Resolution commending Rainbow World Fund and their work through the Tree of Hope project to encourage peace, love and humanitarianism for San Franciscans and people all over the world.

12/4/07, ADOPTED.

071622 **[Accept-Expend State Grant - SF Port Commission]** **Supervisor Peskin**

Resolution authorizing the San Francisco Port Commission to accept and expend $1,900,000 in Carl Moyer Program grant funds from the Bay Area Air Quality Management District to fund the construction of a shoreside power facility for cruise ships at Pier 27 and authorizing the Executive Director of the Port to immediately execute any documents required for the implementation of this grant, including any letters of intent, amendments, augmentations or extensions thereof.

12/4/07, ADOPTED.

071623 **[Commending the SHARE Foundation on the occasion of its 25th Anniversary]** **Supervisor Sandoval**

Resolution commending San Salvador Mayor Violeta Menjivar and the SHARE Foundation on the occasion of the foundation's 25th Anniversary.

12/4/07, ADOPTED.

071627 **[Grant of State Funds - San Francisco Municipal Transportation Agency]** **Supervisor Dufty**

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend $200,000 from Regional Transportation Improvement Program funds allocated by the California Transportation Commission for the Addison and Digby Traffic Circle Project.

12/4/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071628 **[Funds to support the HIV Prevention among High-Risk Men in South Africa study]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $9,429.04 from the University of California, San Francisco (UCSF), to provide technical assistance for the HIV Prevention among High-Risk Men in South Africa (Gauteng MSM Study) to measure the prevalence of HIV risk behaviors and HIV infection in Soweto, South Africa, for the period of November 5, 2007 through April 30, 2008.

12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071629 **[Funds to support the Impact Evaluation in Malawi project]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $31,466 from the University of California, San Francisco (UCSF), the primary contractor, with funds from the World Health Organization, to provide technical assistance and consultation to create a resource manual documenting the triangulation methodology and will participate in the planning of a national Anti-Retroviral Therapy distribution evaluation, for the period of February 1, 2007 through May 31, 2007.

12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071630 **[Grant to support acute HIV infection detection]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant from the California HIV/AIDS Research Program of the University of California in the amount of $213,498 for the project entitled "Acute HIV Infection Detection in San Francisco and San Mateo," for the period of October 1, 2007 through December 31, 2008, which includes a subcontract with the San Mateo County Health Department for $31,481 for the same time period.

12/4/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071631 **[Accept-Expend Corporate Grant - Department of the Environment]** **Supervisor Chu**

Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of $10,000 from the AAA Greenlight Initiative for the purpose of developing, producing and disseminating a brochure on clean air vehicles in English, Spanish and Chinese.

12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071632 **[Accept-Expend Two Gifts from the Fidelity Charitable Gift Fund]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend two gifts in the amount of $20,000 and $12,000 respectively from the Fidelity Charitable Gift Fund for the enhancement of the Library's public website.

12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071633 **[Accept-Expend Bequest of Phyllis C. Wattis Trust]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend $150,000 from the Friends of the San Francisco Public Library (Friends) from the endowment fund established at the Friends by the PHYLLIS WATTIS Trust for public service improvements at the Main Library.

12/4/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 1/10/08 - Phone call to Maureen Singleton (contact person) Public Library for more information to accept and expend $150,000 from the endowment fund of Phyllis Wattis Trust for public service improvements at the main Library. 1/14/08 - Received additional information from Public Library for the Phyllis Wattis Trust Accept and Expend legislation.

071634 **[San Francisco Fair Lending Working Group]** **Supervisors Maxwell, Ammiano**

Resolution establishing a San Francisco Fair Lending Working Group, comprised of industry, community, and City representatives, to study and recommend responses to the current mortgage foreclosure crisis and to provide an initial progress report to the Board of Supervisors within 45 days of its first meeting.

12/4/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071635 **[Accept-Expend State Grant, Chief of Police - $295,000]** **Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to Retroactively accept and expend a grant in the amount of $295,000 from the Governor's Office of Emergency Services for a project entitled "California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET)" program.

12/4/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071636 **[Accept-Expend State Grant, Chief of Police - $235,252]** **Supervisor Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $235,252 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for a

program entitled "COPSmeth 2007 San Francisco".
12/4/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071637 **[Grant of Federal Funds - SF Municipal Transportation Agency]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend grant funding from $120,500 to $130,000 annually beginning FY2006-2007 through FY2009/2010 from the Transportation Security Administration to continue implementation of a canine bomb detection program.
12/4/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071638 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ)]** **Supervisor Elsbernd**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $137,989 from the United States Department of Justice (DOJ), Bureau of Justice Assistance (BJA), under the Bulletproof Vest Partnership program to purchase armor vests for law enforcement officers in the Sheriff's Department, Police Department, Office of the District Attorney, Juvenile Probation Department and Adult Probation Department.
12/4/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071639 **[Accept-Expend State Grant, SF Port Commission - $710,000]** **Supervisor Maxwell**

Resolution authorizing the San Francisco Port Commission to accept and expend a total of $710,000 in grant funds from the California Coastal Conservancy ($200,000) and the California Department of Boating and Waterways ($510,000) to fund the Pier 52 Public Boat Launch Project.
12/4/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071640 **[Accept-Expend State Grant, SF Port Commission - $200,000]** **Supervisor Maxwell**

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $200,000 from the California Cultural and Historical Endowment for planning activities at Pier 70.
12/4/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071641 **[Condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians]** **Supervisors Ammiano, Dufty, Mirkarimi**

Resolution urging the Congressional Human Rights Caucus to support legislation condemning the Islamic Republic of Iran for its government-sanctioned policy of

executing gay and lesbian Iranians and calling on Tehran to adopt a more tolerant culture between gay and lesbian Iranians and greater Iranian society.
12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071642 **[Commending the work of the US PROStitutes Collective to end violence and criminalization]** **Supervisor Ammiano**

Resolution commending the US PROStitutes Collective for the protection of sex workers all over the nation and to end violence and criminalization through organizing.
12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071643 **[Reinstating 19 union janitors at the new Federal building]** **Supervisors Daly, Ammiano, Mirkarimi, Sandoval**

Resolution calling on Exemplar Enterprises to reinstate 19 union janitors at the new state of the art Federal building at 90 7th Street and urging Congresswoman and Speaker of the House of Representatives Nancy Pelosi to call upon the Government Services Agency and Exemplar Enterprises to work to reinstate the janitors at the new Federal building.
12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071644 **[Drug Conviction/Financial Aid]** **Supervisor Daly**

Resolution urging San Francisco Congressional representatives to overturn the provision of the Higher Education Act of 1998 that denies or delays access to financial aid for persons convicted for drug-related offenses.
12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071645 **[Approving a 90 day extension for Planning Commission review for Conditional Use Authorization for new construction shading existing registered solar energy systems]** **Supervisor Mirkarimi**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems, and making environmental findings, General Plan findings, and other required findings.
12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071646 **[Declaration of Election Results]**

Resolution declaring the results of the November 6, 2007 Municipal Election. (Clerk of the Board)

12/4/06, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071647 **[Accept-Expend $14,826 from the Friends of the San Francisco Public Library]** **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of $14,826 from the Friends of the San Francisco Public Library's Main Campaign Fund for public service improvements at the Main Library.

12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071650 **[Resolution in Support of the Pacheco Pass Alternative for the High-Speed Train System]** **Supervisors Peskin, Elsbernd**

Resolution urging the California High Speed Rail Authority to adopt the Preferred Network Alternative, Pacheco Pass to San Francisco (via San Jose), for the Central Valley to Bay Area portion of the High-Speed Train system including pursuit of Regional Rail commuter service via the Altamont Pass between Sacramento/Northern San Joaquin Valley and Oakland/San Jose in partnership with local and regional agencies and transit providers.

12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071652 **[Grant of Regional Funds - SF Municipal Transportation Agency]** **Supervisor Sandoval**

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend $181,280 of Regional Measure 2 - Safe Routes to Transit funding to conduct a study analyzing potential bicycle and pedestrian improvements north of the Balboa Park BART station along Ocean Avenue.

12/4/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071653 **[Accept- Expend State Grant - Department of Telecommunications and Information Services]** **Mayor**

Resolution authorizing the Department of Telecommunications and Information Services to accept and expend a grant in the amount of $49,900.00 from the California Integrated Waste Management Board for the purpose of increasing the Re-Use of Computers and other Electronic equipment in the City and County of San Francisco.

12/4/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071441 **[Urging banks to work with the City to address the affects of subprime lending and calling on the Federal Reserve to take action at the national level to end predatory loan practices]** **Supervisor Ammiano**

Resolution urging banks to work with the City to address foreclosures and subprime loan practices; calling on the Federal Reserve to prohibit loans at unaffordable rates, end the misuses of stated loans, eliminate prepayment penalties, and designate failure to escrow taxes and insurance in subprime loans as a deceptive practice.

10/16/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/23/07, REFERRED to Land Use and Economic Development Committee.

12/4/07, ASSIGNED to Land Use and Economic Development Committee.

12/4/07, SUBSTITUTED. Supervisor Ammiano submitted a substitute resolution bearing the same title.

Requests for Hearings

071624 **[Annual Review and Approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines]**

Hearing to consider the annual review and approval of the Board of Supervisors/Clerk of the Board Annual Budget Guidelines. (Clerk of the Board)

12/4/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071625 **[HIV/AIDS in the Latino community]** **Supervisor Ammiano**

Hearing on Aguilas and the organization's efforts to prevent the spread of HIV/AIDS in the Latino community.

12/4/07, RECEIVED AND ASSIGNED to Rules Committee. Sponsor requests that the item be scheduled for the December 13, 2007 special meeting of the Rules Committee.

Motion

071626 **[Repealing Board Rule 3.9.1 - Mayor's Appearance Before the Board of Supervisors]** **Supervisor Alioto-Pier**

Motion amending the Rules of Order of the Board of Supervisors to repeal Rule 3.9.1 regarding Mayor's Appearance Before the Board.

12/4/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

071575 **[Settlement of Lawsuit - Trustees of The J. David Gladstone Institutes, et al., v. CCSF]**

Ordinance authorizing settlement of the lawsuit filed by Trustees of The J. David Gladstone Institutes against the City and County of San Francisco for the payment of $420,000 to the City and County of San Francisco; the lawsuit was filed on February 13, 2007 in San Francisco Superior Court, Case No. 460-409; entitled Trustees of The J. David Gladstone Institutes, et al., v. City and County of San Francisco, et al; other material terms of the settlement are that the Lease will be amended to terminate The J. David Gladstone Institutes as a tenant of San Francisco General Hospital Building 40. (City Attorney)

11/16/07, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Sandoval
To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to allow taxi companies to charge a higher gate fee for alternatively fueled taxis according to the following schedule:

1. *Taxis purchased in year one – ten dollar gate fee increase.*
2. *Taxis purchased in year two – six dollar gate fee increase.*
3. *Taxis purchased in year three – three dollar gate fee increase.*

Alternatively fueled vehicles shall include hybrid, liquid natural gas and electric vehicles. The legislation shall also require that after year three traditionally fueled taxis shall be prohibited in the City and County of San Francisco. This requirement shall not be extended to taxis used for para-transit.

From: Supervisor Elsbernd
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Inquiring into the possibility of placement of a stop sign at the intersection of Ridgewood and Joost Street.

From: Supervisor Sandoval
To: City Attorney

Requesting/Inquiring: Requesting the City Attorney to draft legislation to prohibit the City and County from selling certain vehicles that were impounded by the police department except for use as scrap metal. This prohibition shall apply to

Vehicles that are not required to get smog checks, that are not required to have catalytic converters or vehicles that have been impounded three or more times, unless a vehicle is deemed of historic or unusual cultural value as determined in the sole discretion of the DPT director.

From: Supervisor Sandoval
To: Controller

Requesting/Inquiring: Requesting the Controller to provide the following information:

1. *The number of vehicles sold at Police auction by the City.*
2. *A breakdown on the vehicles sold by year, make, and model.*
3. *The total revenue generated for the City.*
4. *A breakdown of the revenue generated by the year, make, and model of vehicles sold.*

From: Supervisor Chu
To: Director, Recreation and Parks Department
To: Director, Human Services Agency
To: Chief, Police Department
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the above departments to provide information regarding to plans to address homelessness in the Sunset District and resources which will be devoted to those efforts.

From: Supervisor Mirkarimi
To: Director, Public Utilities Commission

Requesting/Inquiring: Requesting the Public Utilities Commission to report on the status of removing graffiti from utility poles at the following locations:

- *1800 Block of Hayes both metal and wooden poles*
- *Southwest corner of Haight and Divisadero*
- *1225 Fulton*
- *762 Hayes*
- *Northwest corner of Golden Gate and Scott*
- *1286 Fillmore*
- *Southeast corner of Fillmore and Golden Gate*
- *Northeast corner of Laguna and Eddy*
- *Southwest corner of McAllister and Central*
- *Northwest and southwest corner of Golden Gate and Broderick*
- *1760 Golden Gate*
- *1727 Golden Gate*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from mailboxes at the following locations:

- *Northeast corner of Scott and McAllister*
- *Northeast corner of Pierce and Golden Gate*
- *Southwest corner of Hayes and Ashbury*
- *Southeast corner of McAllister and Hayes*
- *2166 Hayes*
- *Southwest corner of Hayes and Ashbury (Garbage Cans)*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

- *359 Divisadero*
- *1675 Fulton*
- *742-750 Central (side of the property)*
- *482 Haight Street*

From: Supervisor Mirkarimi
To: Director, Department of Public works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following locations:

- *2049 Grove Street - Traditions Elementary School (Sidewalk)*
- *1455 Golden Gate (Sidewalk)*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of *repairing potholes at the following locations:*

- *465 Grove*
- *Grove and Broderick north crosswalk*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

- *Southeast corner of Hayes and Divisadero (Advertiser)*
- *Southeast corner of Haight and Divisadero (Chronicle)*
- *Northwest corner Divisadero and Hayes (Chronicle)*
- *Southeast corner of Hayes and Divisadero (Onion)*
- *Southwest corner of Hayes and Webster (SF Weekly)*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti or repairing signs on the DPT property at the following locations:

- *"STOP" sign and pole at the southeast corner of Grove and Shrader*
- *"STOP" sign at southeast corner of Grove and Clayton*
- *"STOP" sign northeast and southeast corner of Grove and Ashbury*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations:

- *Northwest corner of Golden Gate and Pierce*
- *Northeast corner of Fulton and Central*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations:

- *Northwest corner of Golden Gate and Pierce*
- *Northeast corner of Fulton and Central*
- *Northwest corner of Fulton and Webster*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from parking signs and poles at the following locations:

- *Fulton between Gough and Webster*
- *Hayes between Gough and Lyon*
- *Scott between Golden Gate and Eddy*
- *Pierce between O'Farrell and Eddy*
- *Geary between Webster and Laguna*
- *Laguna between Golden Gate and Ellis*
- *Ashbury between Fulton and Hayes*
- *Masonic between Fell and Fulton*
- *1924 Hayes (Parking sign covered in stickers)*

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following DPT/MTA property:

- *All corners of Broderick and Fulton (Pedestrian Crossing Signal)*
- *"No Pedestrian Crossing" signs at southwest corner of Webster and Geary*
- *"No Pedestrian Crossing" signs at Gough and Fell*
- *All four corners at Fulton and Laguna (Traffic Light Poles)*

From: Supervisor Mirkarimi
To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting the Recreation and Park Department to report on the status of removing graffiti from Handicap sign at the Hayes and Pierce Street entrance to Alamo Square.

From: Supervisor Ammiano
To: Dean Macris
To: Daniel Holmsey

Requesting/Inquiring: Inquiring into the following:

What is the status of the City's negotiations with the owner of 2660 Harrison?

We understand that the City, in conjunction with BHNC, has a rare opportunity to acquire a large site to be developed into 100% affordable housing at 2660 Harrison St. A funding application deadline is fast approaching.

What is Planning and MONS doing to ensure that the bid process for this site is not manipulated to the disadvantage of the City, and that the price for the site is not artificially inflated?

What is the Mayor's office doing to make sure that the City does not find itself in a situation where the site is artificially bid up to the point where it is no longer affordable, thus forever losing the chance to acquire a much-needed site for 100% affordable housing in the Mission?

Is Planning Dept. considering a possible review of 2 projects simultaneously at 2660 Harrison St., one 100% affordable site and one 68 unit market-rate development at the same site, given that the Dept. views 2660 Harrison as an affordable housing site given the Board of Supervisors 2006 decision on the previously proposed project at the site?

I respectfully request a written answer by December 11, 2007.

From Supervisor Ammiano
To: Luis Herrera

Requesting/Inquiring: Inquiring into the murals currently covering the Bernal Heights Library branch. The murals have great cultural and historical significance for the Bernal community, and there is little dispute over whether the existing artwork should be restored and preserved. How does the Library plan to preserve and restore the existing artwork to the greatest extent possible?

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:32 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 8, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯： 必須在會議前最少四十八小時提出要求
請電： (415) 554-7703

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Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Board of Supervisors

December 11, 2007

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, December 11, 2007

2:00 PM

Legislative Chamber - Second Floor

Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, SOPHIE MAXWELL, JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present:	*Michela Alioto-Pier, Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*
Members Excused:	*None.*
Members Absent:	*None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:04 p.m. On the call of the roll all Supervisors were noted present.

There was a quorum present.

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

071516 [Grant to support the Healthcare Facilities Partnership Program through the San Francisco Department of Public Health] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend a grant in the amount of $787,659 from the Department of Health and Human Services, Public Health Service, for year 1 of the Healthcare Facilities Partnership Program, for the period of September 1, 2007, through August 8, 2008.

Enacted Number: 681-07

ADOPTED

071517 [Grant to support the SF Child Injury Prevention Program] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (DPH), to retroactively accept and expend funds from the Kids' Plates Program, San Diego State University Research Foundation in the amount of $54,000 in support of SF Child Injury Prevention Program, for the period of October 1, 2007 through June 30, 2008.

Enacted Number: 680-07

ADOPTED

071524 [Retroactive Accept - Expend State Grant - Department of the Environment] Supervisor Maxwell

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $11,175 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.

Enacted Number: 682-07

ADOPTED

071525 [Accept-Expend State Grant - Department of the Environment] **Supervisor Maxwell**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $11,002 from the California Integrated Waste Management Board for the purpose of increasing proper disposal of Household Hazardous Waste and supporting San Francisco's involvement in the California Product Stewardship Council.

Enacted Number: 683-07

ADOPTED

071527 [Accept-Expend Federal Grants - Municipal Transportation Agency] **Supervisor Mirkarimi**

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of $478,000 from 2006 Regional Transportation Improvement funds for the Transportation for Livable Communities - Inner Sunset Traffic Calming and Transit Enhancements Project.

Enacted Number: 684-07

ADOPTED

071537 [Grant of Regional Funds-San Francisco Municipal Transportation Agency] **Supervisor Sandoval**

Resolution authorizing the San Francisco Municipal Transportation Agency to accept and expend $200,000 of Regional Measure 2 - Safe Routes to Transit funding to conduct a study analyzing how to improve traffic patterns on the southern side of the Balboa Park BART station.

Enacted Number: 685-07

ADOPTED

071562 [Accept-Expend California Department of Parks and Recreation Grant] **Supervisor Chu**

Resolution authorizing San Francisco Arts Commission (SFAC) to accept and expend a grant in the amount of $36,000 from the California Department of Parks and Recreation for restoration of the Portals of the Past monument in Golden Gate Park.

Enacted Number: 686-07

ADOPTED

071563 [Accept-Expend State Grant - Sheriff's Department] **Supervisor Dufty**

Resolution authorizing the Sheriff's Department of the City and County of San Francisco to apply for, accept and expend $377,895 in funds from the Corrections Standards Authority for the standards and training of local corrections and probation officers programs;

stipulating adherence to standards for recruitment and training established by the Corrections Standards Authority, waiving any indirect costs.

Enacted Number: 687-07

ADOPTED

Recommendation of the Government Audit and Oversight Committee

071541 [Appropriating $8,890,628, of additional Proposition 1B State Funds revenue for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008] **Mayor, Supervisor Elsbernd**

Ordinance appropriating $8,890,628 of additional Proposition 1B State Funds for street resurfacing projects in the Department of Public Works for Fiscal Year 2007-2008. The department will use the accelerated appropriations of bond funds from the state to fund projects for which design money has already been appropriated and were included in the City's FY 2008-09 capital program.

Enacted Number: 278-07

FINALLY PASSED

Recommendations of the Public Safety Committee

071597 [Accept-Expend FY 07 Community Oriented Policing Services Grant and Amend Annual Salary Ordinance, FY 2007-2008] **Supervisor Elsbernd**

Ordinance authorizing the Department of Emergency Management, as fiscal agent for multiple local jurisdictions, to retroactively accept and expend a Community Oriented Policing Services (COPS) grant in the amount of $5,733,986 from the United States Department of Justice and to provide $406,002 as San Francisco's portion of required matching funds; and amending Ordinance No. 175-07 (Annual Salary Ordinance, FY 2007-2008) to reflect the addition of one position (0.75 FTE) IS Project Director in the Department of Emergency Management (ECD).

Enacted Number: 277-07

FINALLY PASSED

070678 [Planning - institutional master plan review for medical institutions] **Supervisors Maxwell, Ammiano, Alioto-Pier, Sandoval, McGoldrick**

Ordinance amending Planning Code Section 304.5, Institutional Master Plans, to require a qualified health planner retained by the Department of Public Health to analyze the relationship between the City's long-term health care needs and facility planning for medical institutions as part of the Institutional Master Plan and revisions process; clarifying and updating the Institutional Master Plan process through minor changes to generally applicable institutional master plan requirements, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Enacted Number: 279-07

FINALLY PASSED

Recommendations of the Rules Committee

071417 [Settlement of Lawsuit - CCSF v. Michael Levine and What Do We Do? Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Michael Levine and What Do We Do? Inc. for $30,000; the lawsuit was filed on May 26, 2006 in San Francisco Superior Court, Case No. 452-470; entitled City and County of San Francisco, et al., v. Michael Levine, et al.; other material terms of said settlement are that Judgment is to be entered against Michael Levine personally in the amount of $30,000, that payment of $15,000 is to be made at the time of finalization of the settlement of this matter, that the remaining payment of $15,000 is to be in monthly installments over a period of 18 months, and if any payment is late, the entire amount is immediately due, payable and collectible. (City Attorney)

Enacted Number: 281-07

FINALLY PASSED

071459 [Settlement of Lawsuit - Pacific Gas and Electric Company]

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for $10,000; the lawsuit entitled Pacific Gas and Electric Company v. City and County of San Francisco, et al., Case No. RG-05-246128, was filed on December 9, 2005 in Alameda County Superior Court; other material terms of said settlement are set forth in the Stipulated Judgment and Final Order of Condemnation (and exhibits thereto), contained in Board of Supervisors File No. 071459. (City Attorney)

Enacted Number: 282-07

FINALLY PASSED

071513 [Settlement of City's Lawsuit Against Dynegy, Inc., Dynegy Marketing and Trade and West Coast Power LLC]

Ordinance authorizing partial settlement of the lawsuit filed by the City and County of San Francisco against defendant Sempra Energy and other companies; the lawsuit entitled City and County of San Francisco v. Sempra Energy, et al. (JCCP No. 4221-00023) was filed on June 8, 2004, and has been coordinated as Natural Gas Anti-Trust Cases I, II, III & IV in the Superior Court of the State of California for the County of San Diego (JCCP Nos. 4221, 4224, 4226, and 4228); the settlement provides approximately $480,000 to the City from defendants Dynegy, Inc. and its affiliates Dynegy Marketing and Trade and West Coast Power LLC. (City Attorney)

Enacted Number: 283-07

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

071574 [Adopting findings related to disapproving the Categorical Exemption issued for the 376 Eureka Street project]

Motion adopting findings related to disapproving the determination by the Planning Department that the 376 Eureka Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M07-150

APPROVED by the following vote:

Ayes: 10 - Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 1 - Alioto-Pier

Recommendation of the Budget and Finance Committee

071460 [Easement Modification and Relocation Agreement - University of California Parnassus Heights Campus]

Resolution approving and authorizing the execution and delivery of an Easement Modification and Relocation Agreement between The Regents of the University of California ("University") and the City and County of San Francisco, acting by and through its Public

Utilities Commission (collectively referred to hereafter as the "City"), authorizing the City's acceptance of a Modified and Restated Grant of Easement and Agreement For Expanded Storage Tank Easement, the City's quitclaim of the Existing Storage Tank Easement to the University, the City's acceptance of a Grant of Easement and Agreement For New Pump Station Easement and the City's quitclaim of the Existing Pump Station Easement to the University following completion of the Project; adopting findings of consistency with the General Plan and Eight Priority Policies of Planning Code Section 101.1; and adopting environmental findings. (Real Estate Department)

Enacted Number: 688-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Board of Supervisors Sitting as a Committee of the Whole

071218 **[Charter Amendment - San Francisco Affordable Housing Fund and Public Accountability]** **Supervisors Daly, Ammiano, Mirkarimi, Peskin, Maxwell, Sandoval, Dufty, McGoldrick**

Charter amendment (Third Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents ($0.025) on each one hundred dollars ($100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

Supervisor Maxwell, seconded by Supervisor Daly, moved that this Charter Amendment be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Charter amendment (Fourth Draft) to add Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents ($0.025) on each one hundred dollars ($100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

Continued to January 8, 2008 with the Board Sitting as a Committee of the Whole

Supervisors Maxwell, Sandoval, Dufty and McGoldrick requested to be added as co-sponsors.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

071436 **[Appropriating $33,521,354 of land sales revenue for construction at 525 Golden Gate to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008]** **Mayor**

Ordinance appropriating $33,521,354 of San Francisco Water and Wastewater Enterprises estimated land sales revenues from properties including BART land, Petrocchi Brothers property, 425 Mason Street, Muni Transfer at Cesar Chavez, Peter Naughton Easement Transfer, Sea Cliff Lot, Chestnut and El Camino property in South San Francisco, Manzano Way lots in Fremont, PG&E Jefferson Martin Line, and Martin Gaehwhiler property, for costs related to architectural, excavation design services, construction and construction management at 525 Golden Gate Avenue to the San Francisco Public Utilities Commission for Fiscal Year 2007-2008.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071469 **[Accept-Expend Federal Grant - Sheriff's Department]** **Supervisor Alioto-Pier**

Ordinance amending Ordinance No. 175-07 (Annual Salary Ordinance 2007-2008) to reflect the addition of a .50 FTE 8420 Program Rehabilitation Services Coordinator in the Sheriff's Department, and a .50 FTE 2586 Health Worker II and .50 FTE 2803 Epidemiologist in the Department of Public Health, and authorizing the Sheriff's Department to accept and expend a 12-month grant in the amount of $391,556 from the

U.S. Department of Health and Human Services for the Women's Integrated Skills (WISH) Project and waiving indirect costs.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071542 [Accept-Expend Federal Grants - Municipal Transportation Agency] **Mayor**

Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of $2,740,000 from the Metropolitan Transportation Commission Regional Bicycle and Pedestrian Program for various transportation projects.

(Fiscal Impact.)

Enacted Number: 699-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071514 [Prevailing wages for workers on public works/improvement projects; janitorial services; public off-street parking lots, garages, or auto storage facilities; theatrical services; moving services; and hauling solid waste]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; (5) workers performing moving services under City contracts at facilities owned or leased by the City; and (6) workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City. (Civil Service Commission)

Enacted Number: 676-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071568 [Appropriating $250,000 Unappropriated Port Operating Fund Balance for Fuel Spill Clean-up Activities in the Port of San Francisco for Fiscal Year 2007-2008] **Mayor**

Ordinance appropriating $250,000 of Unappropriated Fund Balance from the Port Operating Fund to fund fuel spill clean-up by commercial vessels under contract with the

Port of San Francisco and under direction of the Cosco Busan Incident Command retroactive to November 10, 2007 in the Port of San Francisco Fiscal Year 2007-2008.

(Fiscal Impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071551 [Approving Agreement to Implement the Term Sheet between the San Francisco Public Utilities Commission and Modesto Irrigation District for a Long Term Power Sales Agreement pursuant to Charter Section 9.118(a) with a term through June 30, 2015]

Resolution approving Agreement to Implement the Term Sheet between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Modesto Irrigation District and authorizing the General Manager to implement the Term Sheet by incorporating the terms thereof into a new Long Term Power Sales Agreement and executing the same. (Public Utilities Commission)

Enacted Number: 689-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

070040 [Department of Elections contract for new voting system]

Resolution approving the award and execution of a $12.65 million four-year contract by the City and County of San Francisco, through its Department of Elections, to Sequoia Voting Systems, Inc., for the purchase of a new voting system and provision of associated voting services. (Elections Department)

(Fiscal impact.)

Enacted Number: 654-07

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 2 - Ammiano, Daly

Recommendations of the City Operations and Neighborhood Services Committee

070134 **[Golden Gate Park-Authorization to Construct Skate Park]** **Supervisors Mirkarimi, Alioto-Pier**

Ordinance making environmental findings and authorizing the creation of a skate park in the block of Waller Street in Golden Gate Park, between Stanyan Street and Kezar Drive, pursuant to Charter Section 4.113.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

070508 **[Banning alcohol in children's play areas]** **Supervisors Alioto-Pier, Chu**

Ordinance amending Section 4.10 of the Park Code to ban consumption of alcohol in children's play areas.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071089 **[Warning on cough and cold medicine for infants and young children ordinance]** **Supervisors Alioto-Pier, Dufty**

Ordinance amending the San Francisco Health Code by adding Article 36, Sections 3601 through 3609, to: (1) require businesses located in the City and County of San Francisco to post point-of-sale warnings on administering cough and cold medicine to infants and children younger than 6 years, and (2) provide penalties for violations.

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Ordinance be PASSED ON FIRST READING AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 1 - Peskin

071482 [Liquor License - 1870 Fillmore Street]

Resolution determining that the isuance of a Type 42 on-sale beer and wine public premises license to Kamran Shirazi for Lot61, located at 1870 Fillmore Street (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4; with conditions.

Enacted Number: 678-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use and Economic Development Committee

071534 [Zoning - Interim Moratorium on institutional uses in the Western SoMa] **Supervisors Peskin, Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi**

Urgency Ordinance approving an interim zoning moratorium to prohibit the establishment of new institutional uses in the Western SoMa Planning Area Special Use District for 45 days and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Enacted Number: 280-07

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use and Economic Development Committee Without Recommendation

071564 [Bayview Hunters Point Redevelopment Project Area C Interim Controls] **Supervisor Maxwell**

Resolution adopting interim zoning controls for a period of eighteen (18) months in the area designated as "Area C" in the Bayview Hunters Point Redevelopment Survey Area, an area generally bounded by Jennings Street, Hunters Point Boulevard, Innes Avenue, Earl Street and the San Francisco Bay to require a conditional use permit for all new construction, changes of use, alterations that expand the building envelop and demolitions, except for alterations of a lawfully existing use in the M-1, M-2 or NC-2 zones or the establishment of or a change of use on the ground floor of a principally permitted use in the NC-2 area; specifying criteria to be applied in the evaluation of a conditional use permit application, and adopting findings.

Enacted Number: 697-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Public Safety Committee

071572 [Urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships] **Supervisor Sandoval**

Resolution urging the United States Senate to immediately ratify Annex VI of the International Convention for the Prevention of Pollution from Ships.

Enacted Number: 701-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier introduced, welcomed and presented Certificates of Honor to individuals in recognition of their efforts in the coordination of the handling of the recent oil spill in the bay:

Deputy Director Lisa Hoffman for Laura Phillips, Deputy Director Vicki Hennessy, Rob Dudgeon, Rob Stengal, Dave Sullivan, Glenn DeCastro, Chief Joanne Hayes-White, on behalf of the Fire Department, Tim Felton, Richard Berman and Andres Acevedo

Supervisor Sandoval introduced, welcomed and presented Certificates of Honor to members of the Latino transgender community.

COMMITTEE REPORTS

071593 **[Agreement with King Security Services Inc. for Armed and Unarmed Security Guard Services]** **Supervisor Elsbernd**

Resolution authorizing a three year agreement, with option to renew for up to an additional two years, with King Security Services, Inc. for an amount not to exceed $17,100,000.

(Supervisor Daly dissented in Committee.) (Fiscal Impact.)

Continued to January 8, 2008

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

Abdullah Megahed; expressed concern with issues relating to the homeless

James Chaffee; expressed concern with issues relating to the SF Public Library

Female speaker; expressed concern with Falun Gong persecution

Male speaker; expressed concern with Falun Gong persecution

Eugene Gordon Jr.; expressed concern with issues relating to the violations of human right conditions

Dr. Porter; expressed concern with issues relating to safety at Candlestick Point

Richard Mageary; expressed concern with issues relating to building designs and his patent in San Francisco

Silvia Johnson; expressed concern with issues relating to general issues

Carol Blair, Urban Forest Council; showed interest in the tree landmarking ordinance *proposed amendments*

Ann Garrision; expressed concern with issues relating the Blue Angels flying in San Francisco

Richard Mead; expressed concern with issues relating the Blue Angels flying in San Francisco

Richard Robinson; expressed concern with issues relating to cooking oil, biodiesel and recycling

Male speaker; expressed concern with issues relating to politicians and city elections

Darryl Jones; expressed concern with issues relating to police brutality

Jose Morales; expressed concern with issues relating to housing for seniors and support for senior housing

Male speaker; expressed concern with issues relating to a City contract for Central City Hospitality House

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced for adoption without committee reference. A unanimous vote is required for adoption of these resolutions today. Any Supervisor may require any resolution to go to committee.

071628 [Funds to support the HIV Prevention among High-Risk Men in South Africa study] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $9,429.04 from the University of California, San Francisco (UCSF), to provide technical assistance for the HIV Prevention among High-Risk Men in South Africa (Gauteng MSM Study) to measure the prevalence of HIV risk behaviors and HIV infection in Soweto, South Africa, for the period of November 5, 2007 through April 30, 2008.

Enacted Number: 690-07

ADOPTED

071629 [Funds to support the Impact Evaluation in Malawi project] **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend retroactively a grant in the amount of $31,466 from the University of California, San Francisco (UCSF), the primary contractor, with funds from the World Health Organization, to provide technical assistance and consultation to create a resource manual documenting the triangulation methodology and will participate in the planning of a national Anti-Retroviral Therapy distribution evaluation, for the period of February 1, 2007 through May 31, 2007.

Enacted 691-07

Number:
ADOPTED

071631 [Accept-Expend Corporate Grant - Department of the Environment] Supervisor Chu

Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of $10,000 from the AAA Greenlight Initiative for the purpose of developing, producing and disseminating a brochure on clean air vehicles in English, Spanish and Chinese.

Enacted Number: 695-07
ADOPTED

071632 [Accept-Expend Two Gifts from the Fidelity Charitable Gift Fund] Supervisor Elsbernd

Resolution authorizing the San Francisco Public Library to accept and expend two gifts in the amount of $20,000 and $12,000 respectively from the Fidelity Charitable Gift Fund for the enhancement of the Library's public website.

Enacted Number: 692-07
ADOPTED

071642 [Commending the work of the US PROStitutes Collective to end violence and criminalization] Supervisor Ammiano

Resolution commending the US PROStitutes Collective for the protection of sex workers all over the nation and to end violence and criminalization through organizing.

Enacted Number: 703-07
ADOPTED

071644 [Drug Conviction/Financial Aid] Supervisor Daly

Resolution urging San Francisco Congressional representatives to overturn the provision of the Higher Education Act of 1998 that denies or delays access to financial aid for persons convicted for drug-related offenses.

Enacted Number: 702-07
ADOPTED

071645 [Approving a 90 day extension for Planning Commission review for Conditional Use Authorization for new construction shading existing registered solar energy systems] Supervisor Mirkarimi

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would amend Section 303 to require a conditional use authorization for any new construction that would shade a registered solar energy system, as defined, and provide for the registration of existing and new solar energy systems, and making environmental findings, General Plan findings, and other required findings.

Enacted Number: 698-07

ADOPTED

071646 [Declaration of Election Results]

Resolution declaring the results of the November 6, 2007 Municipal Election. (Clerk of the Board)

Enacted Number: 675-07

ADOPTED

071647 [Accept-Expend $14,826 from the Friends of the San Francisco Public Library] **Supervisor Elsbernd**

Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of $14,826 from the Friends of the San Francisco Public Library's Main Campaign Fund for public service improvements at the Main Library.

Enacted Number: 693-07

ADOPTED

071650 [Resolution in Support of the Pacheco Pass Alternative for the High-Speed Train System] **Supervisors Peskin, Elsbernd**

Resolution urging the California High Speed Rail Authority to adopt the Preferred Network Alternative, Pacheco Pass to San Francisco (via San Jose), for the Central Valley to Bay Area portion of the High-Speed Train system including pursuit of Regional Rail commuter service via the Altamont Pass between Sacramento/Northern San Joaquin Valley and Oakland/San Jose in partnership with local and regional agencies and transit providers.

Supervisor Elsbernd requested to be as added as a co-sponsor.

Enacted Number: 677-07

ADOPTED

071653 [Accept- Expend State Grant - Department of Telecommunications and Information Services] **Mayor**

Resolution authorizing the Department of Telecommunications and Information Services to accept and expend a grant in the amount of $49,900.00 from the California Integrated Waste Management Board for the purpose of increasing the Re-Use of Computers and other Electronic equipment in the City and County of San Francisco.

Enacted Number: 696-07

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference to Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

071643 **[Reinstating 19 union janitors at the new Federal building]** **Supervisors Daly, Ammiano, Mirkarimi, Sandoval**

Resolution calling on Exemplar Enterprises to reinstate 19 union janitors at the new state of the art Federal building at 90 7th Street and urging Congresswoman and Speaker of the House of Representatives Nancy Pelosi to call upon the Government Services Agency and Exemplar Enterprises to work to reinstate the janitors at the new Federal building.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071641 **[Condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians]** **Supervisors Ammiano, Dufty, Mirkarimi**

Resolution urging the Congressional Human Rights Caucus to support legislation condemning the Islamic Republic of Iran for its government-sanctioned policy of executing gay and lesbian Iranians and calling on Tehran to adopt a more tolerant culture between gay and lesbian Iranians and greater Iranian society.

Supervisors Dufty and Mirkarimi requested to be added as co-sponsors.

Enacted Number: 679-07

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 *votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.*

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved ADOPTION of the Purely Commendatory findings. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution (s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Alioto-Pier, seconded by Supervisor Sandoval, moved ADOPTION of the Brown Act findings. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071656 [Commending the Latino transgender community for their advocacy on behalf of the transgender and Latino communities] **Supervisor Sandoval**

Resolution commending the Latino transgender community for their advocacy on behalf of the transgender and Latino communities.

Enacted Number: 694-07

ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Purely Commendatory findings. The motion carried by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolution (s) being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act findings. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

071657 **[Commending New Tang Dynasty Television] Supervisor Daly**

Resolution commending New Tang Dynasty Television [NTDTV] for the outstanding achievement in hosting worldwide the most spectacular Performing Arts Celebration "Divine Chinese New Year Spectacular" in San Francisco on January 23, 2008 at the Orpheum Theater.

The proposed Imperative Resolution failed adoption by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, McGoldrick, Peskin, Sandoval

Noes: 1 - Chu

(NOTE: Imperative matters require a unamious vote for adoption.)

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

071659 **[Changes the name of the Film Commission and deletes the cap on the amount that an individual production can receive under the Rebate Program] Supervisor Alioto-Pier**

Ordinance changing the name of the Film Commission to the "Film and Digital Cinema Commission," and repealing the provision that limits individual rebates under the Rebate Program to the amount of tax that the film production paid to the City.

Economic Impact

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

071661 **[Menu Labeling At Chain Restaurants] Supervisors Ammiano, Dufty, Mirkarimi, McGoldrick, Maxwell**

Ordinance amending Sections 468 through 468.8 of the San Francisco Health Code to (1) require chain restaurants to provide, per standard menu item, the total number of calories on menu boards and food tags, and the total number of calories, saturated fat, carbohydrates and sodium on menus; and (2) revise existing requirements for providing nutritional information on alternative disclosure media.

12/11/07, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/10/2008.

071662 **[Prohibiting contractors from assisting in the Supervisor Daly**

enforcement of federal immigration law unless required by applicable laws]

Ordinance amending the San Francisco Administrative Code by amending Sections 12B.2 and 12C.3 to prohibit contractors of the City and County of San Francisco from assisting in the enforcement of federal immigration law, except where required by applicable laws, and to add "place of birth" to the list of protected categories, and by adding Section 12C.01 to change the title of Chapter 12C to "Nondiscrimination in Business Establishments and Public Accommodations."

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

071669 **[Planning -Haight Street Neighborhood Commercial District - Full-Service Restaurants]** **Supervisor Mirkarimi**

Ordinance amending Planning Code Sections 719.1 and 781.9 concerning the Haight Street Neighborhood Commercial District to provide for up to four new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2008. 12/21/07 - Referred to Planning Commission and Planning Department for review, comment, and determination of environmental impact.

071670 **[Administrative fines for violation of City ordinances]** **Supervisor Mirkarimi**

Ordinance amending the San Francisco Administrative Code by adding Chapter 100, entitled "Procedures Governing the Imposition of Administrative Fines" and encompassing Section 100.1 through 100.10, to establish a procedure for the assessment, review and appeal of administrative fines imposed for violation of City ordinances.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

071671 **[De-appropriating $50,000 Golden Gate Park Stables General Fund project and Re-appropriating $50,000 for Golf Course Recreational Study at Recreation and Park for Fiscal Year 2007-2008]** **Supervisor McGoldrick**

Ordinance de-appropriating $50,000 of General Fund from the Golden Gate Park Stables Project and re-appropriating $50,000 of General Fund for a Recreational Opportunity Study at San Francisco Golf Courses in the Department of Recreation and Park for Fiscal Year 2007-2008.

12/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071672 **[Public Works Code - landmark trees]** **Supervisor McGoldrick**

Ordinance amending Section 810 of the San Francisco Public Works Code to make clarifying changes, establish hearing notice provisions, and extend the term of temporary designation of nominated landmark trees; and making environmental findings.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development

Committee, expires on 1/10/2008. 12/21/07 - Referred to Planning Commission and Planning Department for review, comment, and determination of environmental impact.

071674 **[Zoning - Amend Superseded Height and Bulk Provisions in the North Beach NCD]** **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending Section 722.10 and the Zoning Control Table in Section 722 to delete building height and bulk provisions superseded by Ordinance No. 20-88 and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2008. 12/21/07 - Referred to Planning Commission and Planning Department for review, comment, and determination of environmental impact.

071677 **[Affordable Energy Improvement Loan Program General Obligation Bond Election]** **Mayor**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3rd 2008, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to restructure the City's previously approved Seismic Safety Loan Program to authorize the following bonded debt of the City and County: Fifty Million Dollars ($50,000,000) for a loan program seeking to finance privately-owned renewable energy and energy efficiency projects, subject to loan repayments from the borrowers in amounts necessary to pay debt service on such bonded indebtedness; amending the previously approved Seismic Safety Loan Program bonding authority to reflect such reallocation; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that the proposed project is excluded from the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1 (b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; authorizing landlords to passthrough to residential tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the "Residential Stabilization and Arbitration Ordinance") 50% of the increase in the real property taxes attributable to the cost of the repayment of the bonds; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

12/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee. 01/03/08 - Referred to Planning for determination of environmental impact.

071679 **[Solar Energy Incentive Program.]**

Ordinance amending the Environment Code by adding Chapter 18 creating a Solar Energy Incentive Program; establishing limits on the incentive payments; providing eligibility criteria for the incentive payments; establishing limits on the amount of assistance available; allocating program funding among types of buildings; and imposing duties and responsibilities on the program administrator. (Assessor-Recorder)

No Economic Impact

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

Resolutions

071656 **[Commending the Latino transgender community for their advocacy on behalf of the transgender and Latino communities]** **Supervisor Sandoval**

Resolution commending the Latino transgender community for their advocacy on behalf of the transgender and Latino communities.

12/11/07, ADOPTED.

071660 **[Comprehensive Package to Support Film Production in San Francisco]** **Supervisor Alioto-Pier**

Resolution directing City departments, and urging other public entities, to cooperate with the Film Commission to streamline film permitting procedures, to adopt a single Use Agreement and a single insurance policy for film productions, and to create consistent fee structures.

12/11/07, RECEIVED AND ASSIGNED to Rules Committee.

071665 **[Accept-Expend State Grant, Chief of Police - $220,000]** **Supervisor Elsbernd**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $220,000 from the Governor's Office of Emergency Services for a program entitled "Anti-Gang Initiative/Project Search & Rescue".

12/11/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071666 **[Accept-Expend Federal Grant, Chief of Police - $754,618]** **Supervisor Elsbernd**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $754,618 from the U.S. Department of Justice, Bureau of Justice Assistance for a program entitled "Byrne 2007 Discretionary Grant Program; BJA-Targeting Violent Crime Initiative".

12/11/07, RECEIVED AND ASSIGNED to Public Safety Committee.

071668 **[Reauthorization of Food Security Task Force]** **Supervisor Maxwell**

Ordinance amending the San Francisco Health Code by amending Sections 470.1 and 470.2, to extend the sunset provisions of the Food Security Task Force to January 31, 2009, and change the organizations from which members must be appointed.

12/11/07, RECEIVED AND ASSIGNED to Rules Committee.

071675 **[Adding the name "Dante Benedetti Lane" to Jasper Alley in North Beach]** **Supervisor Peskin**

Resolution adding the name "Dante Benedetti Lane" to Jasper Alley in North Beach in recognition of Dante Benedetti's many contributions to the community of North Beach and the City of San Francisco.

12/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 12/21/07 - Referred to the Police Dept., Fire Dept, Parking and Traffic, and Public Works for review and comment.

071676 **[Grant to support the Shape Up BVHP program]** **Supervisor Peskin**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a two-year grant from Kaiser Permanente in the amount of $150,000 for the project entitled "Shape Up BVHP," for the period of October 1, 2007 through September 30, 2009, which includes a subcontract with the SF Study Center for $130,610 for the same time period.

12/11/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

071678 **[Affordable Energy Improvement Loan Program General Obligation Bonds]** **Mayor**

Resolution determining and declaring that the public interest and necessity demand the restructuring of the City's previously approved Seismic Safety Loan Program to allow for the establishment of a loan program financing privately-owned improvements to real property that will result in a reduction in the use of energy generated from nonrenewable sources; finding that the estimated cost of $50,000,000 for such loan program is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; stating that the ordinance submitting such proposal to the voters shall comply with Section 2.40 of the Administrative Code; and waiving the time limits set forth in Administrative Code Section 2.34.

12/11/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071680 **[Urging the California State Assembly to pass Assembly Bill 23]** **Supervisors Dufty, Ammiano, Peskin, Mirkarimi, Sandoval**

Resolution urging the California State Assembly to pass Assembly Bill 23.

12/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071681 **[Changing the name of a an approximately 200-ft long portion of Jessie Street bounded by 5th and Mint Streets and a 75-ft long portion of Mint Street to Mint Plaza]** **Supervisor Daly**

Resolution changing the name of an approximately 200-foot-long portion of Jessie Street (from 400 to 426 Jessie Street), bounded by 5th Street and Mint Street and an approximately 75-foot portion of Mint Street (containing one address, 54 Mint Street) to Mint Plaza, in recognition of the newly constructed pedestrian plaza that now occupies those areas.

12/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071682 **[Approval of an additional 120-day extension for Planning Commission review in order to allow the Planning Department to meet the goals of this legislation through the Eastern Neighborhoods Rezoning]** **Supervisor Daly**

Resolution extending by an additional 120 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance that would amend the Planning Code by repealing Section 825.1 and amend Planning Code Sections 135, 309.1, 318.3, 809, 825 and 827 to apply many of the provisions of Rincon Hill Downtown Mixed Use Zoning District to all Downtown Residential Districts and to add design requirements to enhance the pedestrian environment.

12/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

071683 **[Approval of a 90 day extension for Planning Commission review for Planning Code Amendment of C-3 Development Impact Fees]** **Supervisor Daly**

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed ordinance that would require the City Controller to study the impacts of new development in the C-3 zoning districts, requiring the Board of Supervisors to amend City codes to establish new development impact fees and/or to change the amounts of existing fees for development in the C-3 zoning districts, depending on the results of the study, and making environmental findings, General Plan findings, and other required findings.

12/11/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Hearings

071658 **[Mountain Lake]** **Supervisor Alioto-Pier**

Hearing regarding the status of Mountain Lake. The hearing will explore the extent of the problem, including any hazards to Mountain Lake users. The hearing will also focus on potential solutions and timeliness for completion.

12/11/07, RECEIVED AND ASSIGNED to Land Use and Economic Development

Committee.

Charter Amendments

071663 **[Charter Amendment - New hire qualifications for retiree health care; employer contributions to Health Service System for retiree health care for new hires; improving retirement benefits for City employees hired on or after January 10, 2009]** **Mayor, Supervisor Elsbernd**

Charter amendment (First Draft) to add Sections A8.594 and A8.594-1 through A8.594-14 to provide retirement benefits for employees hired on and after January 10, 2009, who have never been members of the Retirement System before that date and to amend Sections A8.509, A8.584, A8.584-1, A8.587, and A8.587-1, to include certain rehired City employees as members of those plans; amend Section A8.428 to increase the years of service required for new employees to qualify for subsidized health benefits at retirement and to adjust the formula for calculating retiree health benefit subsidies for those new employees; amend Section 9.113.5 to pre-fund retiree health benefits for City employees; add Sections 12.204, A8.409-7, A8.432 and A8.590-8 and by amending Section A8.433 to fund retiree health benefits for the City and County of San Francisco and other participating employers.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

071664 **[Charter Amendment - Retired employees convicted of crimes involving moral turpitude in connection with their employment to forfeit any right to pension benefits funded from employer contributions]** **Supervisor Elsbernd**

Charter amendment (First Draft) to amend Sections A8.584-9, A8.586-12, A8.587-9, A8.588-12, A8.597-12 and A8.598-12, and by adding Sections A8.584-13, A8.586-16, A8.587-14, A8.588-16, A8.597-16 and A8.598-16 to reaffirm the voters' intent that members convicted of a crime involving moral turpitude in connection with their duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, County of San Francisco, shall forfeit any right to a retirement benefit funded, in whole or in part, from contributions by the City and County, the school district, or the college district.

12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

071667 **[Charter Amendment - Dividing the power to nominate members of the Public Utilities Commission between the Mayor and the President of the Board of Supervisors, subject to confirmation by the Board]** **Supervisors Maxwell, Dufty, Peskin, Mirkarimi, Ammiano**

Charter amendment (First Draft) to amend Section 4.112 to divide the power to nominate members of the Public Utilities Commission between the Mayor and the President of the Board of Supervisors, subject to confirmation of all nominations by the Board of

Supervisors.
12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

071673 **[Charter Amendment - New hire qualifications for retiree health care; employer contributions to Health Service for retiree health care for new hires; improving benefits for retirees and City employees staying in service to age 65]** **Supervisors Peskin, Mirkarimi, Sandoval, Ammiano**

Charter amendment (First Draft) to amend Sections A8.428, A8.509, A8.526, A8.526-1, A8.587-2, and A8.587-13 to: reduce employer contributions for retiree medical benefits for employees hired after June 30, 2008 and retiring from the City and County of San Francisco with less than 15 years of credited service; and, increase retirement benefits to eligible employees to encourage longer employment and retention.
12/11/07, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 1/10/2008.

PROPOSED ORDINANCES

071581 **[Changing the official sidewalk width - Townsend Street]**

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1576 to change the official sidewalk width on the northerly side of Townsend Street between 6th and 7th Streets; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width change. (Public Works Department)

(DPW Order No. 177,191)

11/30/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

071612 **[Settlement of Eminent Domain Lawsuit Against the City and County of San Francisco]**

Ordinance authorizing settlement of the lawsuit filed by Pacific Gas & Electric ("PG&E") against the City and County of San Francisco for $1,088,000.00; the lawsuit was filed on June 6, 2006 in San Francisco Superior Court, Case No. CGC-06-452985; entitled Pacific Gas & Electric Company v. City and County of San Francisco; other material terms of said settlement are set forth in the Stipulation for Entry of Judgment in Condemnation and the Judgment in Condemnation, contained in Board of Supervisors File No. 071612. (City Attorney)
11/27/07, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

071579 **[Approval of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., at San Francisco International Airport]**

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Operating Agreement L-99-0321 with Cathay Pacific Airways, Ltd., for office space in the International Terminal of San Francisco International Airport. (Airport Commission)

11/29/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

071580 **[Approval of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. at San Francisco International Airport]**

Resolution approving and authorizing the execution of Lease Agreement L-07-0255 with Singapore Airlines Cargo Pte., Ltd. for cargo warehouse and office space in Building 710 on Plot 12 of San Francisco International Airport. (Airport Commission)

11/29/07, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

- *1035 Haight Street*
- *Northwest corner of Haight and Lyon*
- *All four corners of Ashbury and Waller*
- *1425 Waller*
- *609 Stanyan*
- *South side of Fulton between Cole and Ashbury*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti at the following private property locations:

- *1146 Oak*
- *1301 Haight or 97 Central*
- *1455 Haight*
- *1059 Haight*
- *1675 Haight*
- *909 Haight*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status or repairing sidewalks at the following locations:

Sidewalk

- *1500 Page*

- *Traditions Elementary School – 2049 Grove St.*
- *545 Linden St.*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

Chronicle

- *Southwest corner of Stanyan and Parnassus*
- *Northwest corner of Haight and Stanyan*
- *Southeast corner of Haight and Belvedere*
- *Southeast corner of Haight and Masonic*

Examiner

- *Northwest corner of Divisadero and Fulton*

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of cleaning debris from the tops of the drain at the intersection of Ashbury and Waller.

From Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following locations:

Light Switch Boxes

- *Southeast corner of Haight and Stanyan*
- *Northwest corner of Fulton and Baker*

Phone Switch Boxes

- *Northeast corner of Waller and Stanyan*
- *North side of Parnassus between Belvedere and Cole*
- *South side of the 1600 block of Fulton*
- *Northwest corner of Scott and McAllister*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of replacing a damaged residential parking sign at 1690 Page.

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from parking signs and poles at the following locations:

- *Page between Divisadero and Broderick*
- *Page between Masonic and Stanyan (including black frames)*
- *Ashbury between Waller and Oak (including black frames)*
- *Clayton between Oak and Haight Street (including black frames)*
- *Haight between Stanyan and Shrader (stickers on signs)*
- *Lyon between Haight and Page*
- *Baker between Haight and Page*

- *Central between Waller and Buena Vista West*
- *Carl between Cole and Clayton*
- *Parnassus between Clayton and Shrader*
- *Ashbury between Frederick and Waller*
- *Clayton between Waller and Frederick*
- *Behula between Stanyan and Cole*
- *Scott between McAllister and Golden Gate*
- *Fulton between Laguna and Webster*
- *Stanyan between Carl and Haight*

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from the following DPT/MTA property:

- *"No Pedestrian Crossing" sign at the southeast corner of Fulton and Cole (Signs)*
- *Ashbury between Waller and Haight (Parking Meters)*

From: Supervisor Mirkarimi
To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting the Department of Parking and Traffic to report on the status of removing graffiti from Alamo Square Playground.

From: Supervisor Mirkarimi
To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing the graffiti from mailboxes and garbage cans at the following locations:

Mailboxes

- *Northeast corner of Haight and Buchanan*
- *Southeast corner of Pierce and McAllister*
- *Northeast corner of Scott and McAllister*

Garbage Cans

- *Northeast corner of Haight and Baker*
- *Southeast corner of Haight and Buena Vista East*

In Memoriams

Dr. Merle Sande - Supervisor Dufty

John "Joby" Shinoff -Supervisor Dufty

Gary Truong - Supervisor Peskin

Marion Johnson - Supervisor Mirkarimi

Rebecca Marie Susan Ohlson - Supervisors Daly and Sandoval

Robert Feldman - Entire Board

ADJOURNMENT

There being no further business the Board adjourned at the hour of 4:18 p.m.

Angela Calvillo, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 8, 2008.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee. Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber. Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK. Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383For information, call (415) 554-5184. Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

翻譯：必須在會議前最少四十八小時提出要求
請電：(415) 554-7703

Disability access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

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